

# **PART 70 OPERATING PERMIT OFFICE OF AIR MANAGEMENT**

**Griffin Industries  
Route 1 Box 112  
Newberry, Indiana 47449**

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-7 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

Operation Permit No.: T 055-6063-00008	
Issued by: Janet G. McCabe, Assistant Commissioner Office of Air Management	Issuance Date:

## TABLE OF CONTENTS

### A SOURCE SUMMARY

- A.1 General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)]
- A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)]
- A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)]
- A.4 Part 70 Permit Applicability [326 IAC 2-7-2]

### B GENERAL CONDITIONS

- B.1 Permit No Defense [326 IAC 2-1-10] [IC 13]
- B.2 Definitions [326 IAC 2-7-1]
- B.3 Permit Term [326 IAC 2-7-5(2)]
- B.4 Enforceability [326 IAC 2-7-7(a)]
- B.5 Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]
- B.6 Severability [326 IAC 2-7-5(5)]
- B.7 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]
- B.8 Duty to Supplement and Provide Information [326 IAC 2-7-4(b)] [326 IAC 2-7-5(6)(E)]
- B.9 Compliance with Permit Conditions [326 IAC 2-7-5(6)(A)] [326 IAC 2-7-5(6)(B)]
- B.10 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)]
- B.11 Annual Compliance Certification [326 IAC 2-7-6(5)]
- B.12 Preventive Maintenance Plan [326 IAC 2-7-5][326 IAC 2-7-6][326 IAC 1-6-3]
- B.13 Emergency Provisions [326 IAC 2-7-16]
- B.14 Permit Shield [326 IAC 2-7-15]
- B.15 Multiple Exceedances [326 IAC 2-7-5(1)(E)]
- B.16 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]
- B.17 Permit Modification, Reopening, Revocation and Reissuance, or Termination
- B.18 Permit Renewal [326 IAC 2-7-4]
- B.19 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]
- B.20 Permit Revision Under Economic Incentives and Other Programs
- B.21 Operational Flexibility [326 IAC 2-7-20]
- B.22 Construction Permit Requirement [326 IAC 2]
- B.23 Inspection and Entry [326 IAC 2-7-6(2)]
- B.24 Transfer of Ownership or Operation [326 IAC 2-1-6] [326 IAC 2-7-11]
- B.25 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)]

### C SOURCE OPERATION CONDITIONS

#### Emission Limitations and Standards [326 IAC 2-7-5(1)]

- C.1 PSD Minor Source Status [326 IAC 2-2] [40 CFR 52.21]
- C.2 Particulate Matter Emission Limitations for Processes with Process Weight Rates
- C.3 Opacity [326 IAC 5-1]
- C.4 Open Burning [326 IAC 4-1] [IC 13-17-9]
- C.5 Incineration [326 IAC 4-2] [326 IAC 9-1-2]
- C.6 Fugitive Dust Emissions [326 IAC 6-4]
- C.7 Operation of Equipment [326 IAC 2-7-6(6)]
- C.8 Stack Height [326 IAC 1-7]
- C.9 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61.140]

#### Testing Requirements [326 IAC 2-7-6(1)]

- C.10 Performance Testing [326 IAC 3-6]

**Compliance Monitoring Requirements [326 IAC 2-7-5(1)] [326 IAC 2-7-6(1)]**

- C.11 Compliance Schedule [326 IAC 2-7-6(3)]
- C.12 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]
- C.13 Maintenance of Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]
- C.14 Monitoring Methods [326 IAC 3]
- C.15 Pressure Gauge Specifications

**Corrective Actions and Response Steps [326 IAC 2-7-5] [326 IAC 2-7-6]**

- C.16 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]
- C.17 Compliance Monitoring Plan - Failure to Take Response Steps [326 IAC 2-7-5]
- C.18 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]

**Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]**

- C.19 Emission Statement [326 IAC 2-7-5(3)(C)(iii)] [326 IAC 2-6] [326 IAC 2-7-19]
- C.20 Monitoring Data Availability [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)]
- C.21 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]
- C.22 General Reporting Requirements [326 IAC 2-7-5(3)(C)]

**Stratospheric Ozone Protection**

- C.23 Compliance with 40 CFR 82 and 326 IAC 22-1

**D.1 FACILITY OPERATION CONDITIONS - Three (3) boilers (01-03) and one (1) dryer (04)**

**Emission Limitations and Standards [326 IAC 2-7-5(1)]**

- D.1.1 Sulfur Dioxide (SO<sub>2</sub>) [326 IAC 7-1.1-1]
- D.1.2 PSD Minor Source Status [326 IAC 2-2] [40 CFR 52.21]
- D.1.3 Particulate Matter (PM) [326 IAC 6-2-3]
- D.1.4 Particulate Matter (PM) [326 IAC 6-2-4]
- D.1.5 Particulate Matter (PM) [326 IAC 6-3-2(c)]
- D.1.6 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

**Compliance Determination Requirements**

- D.1.7 Testing Requirements [326 IAC 2-7-6(1),(6)]
- D.1.8 Sulfur Dioxide Emissions and Sulfur Content
- D.1.9 Sulfur Dioxide Emissions and Sulfur Content
- D.1.10 Particulate Matter

**Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]**

- D.1.11 Visible Emissions Notations
- D.1.12 Parametric Monitoring
- D.1.13 Broken or Failed Bag Detection
- D.1.14 Control Device Inspections

**Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]**

- D.1.15 Record Keeping Requirements
- D.1.16 Reporting Requirements

**D.2 FACILITY OPERATION CONDITIONS - Material Storage and Handling Facilities**

**Emission Limitations and Standards [326 IAC 2-7-5(1)]**

- D.2.1 Particulate Matter (PM) [326 IAC 6-3-2(c)]

**Compliance Determination Requirements**

- D.2.2 Testing Requirements [326 IAC 2-7-6(1),(6)]

**Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]**

D.2.3 Monitoring

**Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]**

D.2.4 Record Keeping Requirements

D.2.5 Reporting Requirements

**D.3 FACILITY OPERATION CONDITIONS - Three (3) Cold Cleaners**

**Emission Limitations and Standards [326 IAC 2-7-5(1)]**

D.3.1 Volatile Organic Compounds (VOC) [326 IAC 8-3-2]

**Compliance Determination Requirements**

D.3.2 Testing Requirements [326 IAC 2-7-6(1),(6)]

**Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]**

D.3.3 Monitoring

**Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]**

D.3.4 Record Keeping Requirements

D.3.5 Reporting Requirements

**Certification**

**Emergency/Deviation Occurrence Report**

**Natural Gas Fired Boiler Certification**

**Quarterly Report**

**Quarterly Report**

**Quarterly Compliance Monitoring Report**

## SECTION A

## SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Management (OAM). The information describing the source contained in conditions A.1 through A.3 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

### A.1 General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)]

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The Permittee owns and operates a stationary animal and agricultural byproducts rendering operation.

Responsible Official:	F. Michael Schmidt
Source Address:	Route 1 Box 112, Newberry, IN 47449
Mailing Address:	Route 1 Box 112, Newberry, IN 47449
Phone Number:	606-781-2010
SIC Code:	2077
County Location:	Greene
County Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Permit Program
	Minor Source, under PSD Rules
	Major Source, Section 112 of the Clean Air Act

### A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)] [326 IAC 2-7-5(15)]

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This stationary source consists of the following emission units and pollution control devices:

- (a) One (1) fluidized, coal-fired boiler, identified as 01, constructed in 1981, with a heat input capacity of 50 million Btu per hour, using natural gas as a backup fuel, dry limestone injection for sulfur dioxide (SO<sub>2</sub>) control, a cyclone centrifugal separator and baghouse for particulate matter control, and exhausting to stack A;
- (b) One (1) traveling grate, coal-fired boiler, identified as 02, constructed in 1989, with a heat input capacity of 50 million Btu per hour, using a cyclone centrifugal separator for particulate matter control, and exhausting to stack B;
- (c) One (1) natural gas-fired dryer, identified as 04, constructed in 1994, with a heat input capacity of 20 million Btu per hour, using No. 2 fuel oil as a backup fuel, a cyclone centrifugal separator and a wet scrubber for particulate matter control, and exhausting to stack D;
- (d) One (1) natural gas-fired boiler, identified as 03, constructed in 1989, with a heat input capacity of 33.746 million Btu per hour, and exhausting to stack C; and
- (e) Material storage and handling facilities including:
  - (1) seven (7) enclosed tanks totalling 420 tons of capacity, used for storing tallow/grease, with enclosed piping for material handling,
  - (2) three (3) 250 ton capacity enclosed silos, used for storing meat meal, feather meal, and poultry meal, with three (3) screw conveyors for material handling, and
  - (3) one (1) 30 ton capacity enclosed silo, used for storing blood meal, with one (1) screw conveyor for material handling.

A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)]  
[326 IAC 2-7-5(15)]

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This stationary source also includes the following insignificant activities which are specifically regulated, as defined in 326 IAC 2-7-1(21):

- (a) Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6:
  - (1) Three (3) cold cleaners, each with 22 gallon reservoirs.

A.4 Part 70 Permit Applicability [326 IAC 2-7-2]

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This stationary source is required to have a Part 70 permit by 326 IAC 2-7-2 (Applicability) because:

- (a) It is a major source, as defined in 326 IAC 2-7-1(22);
- (b) It is a source in a source category designated by the United States Environmental Protection Agency (U.S. EPA) under 40 CFR 70.3 (Part 70 - Applicability).

## **SECTION B GENERAL CONDITIONS**

### **B.1 Permit No Defense [IC 13]**

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- (a) Indiana statutes from IC 13 and rules from 326 IAC, quoted in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Part 70 permit under 326 IAC 2-7.
- (b) This prohibition shall not apply to alleged violations of applicable requirements for which the Commissioner has granted a permit shield in accordance with 326 IAC 2-1-3.2 or 326 IAC 2-7-15, as set out in this permit in the Section B condition entitled "Permit Shield."

### **B.2 Definitions [326 IAC 2-7-1]**

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Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations, IC 13-11, 326 IAC 1-2 and 326 IAC 2-7, shall prevail.

### **B.3 Permit Term [326 IAC 2-7-5(2)]**

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This permit is issued for a fixed term of five (5) years from the effective date, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3.

### **B.4 Enforceability [326 IAC 2-7-7(a)]**

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Unless otherwise stated, all terms and conditions of this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.

### **B.5 Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]**

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The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-7-3 and 326 IAC 2-7-4(a).

### **B.6 Severability [326 IAC 2-7-5(5)]**

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The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

### **B.7 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]**

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This permit does not convey any property rights of any sort, or any exclusive privilege.

### **B.8 Duty to Supplement and Provide Information [326 IAC 2-7-4(b)] [326 IAC 2-7-5(6)(E)]**

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- (a) The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Management  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

- (b) The Permittee shall furnish to IDEM, OAM within a reasonable time, any information that IDEM, OAM may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit.

- (c) Upon request, the Permittee shall also furnish to IDEM, OAM, copies of records required to be kept by this permit. If the Permittee wishes to assert a claim of confidentiality over any of the furnished records, the Permittee must include a claim of confidentiality in accordance with 326 IAC 17. If requested by IDEM, OAM, or the U.S. EPA, to furnish copies of requested records directly to U.S. EPA, then the Permittee must furnish such records directly to the U.S. EPA. If the Permittee wishes to assert a claim of confidentiality over any of the furnished records, the Permittee must include such a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

**B.9 Compliance with Permit Conditions [326 IAC 2-7-5(6)(A)] [326 IAC 2-7-5(6)(B)]**

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- (a) The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit, except those specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act and is grounds for:
- (1) Enforcement action;
  - (2) Permit termination, revocation and reissuance, or modification; or
  - (3) Denial of a permit renewal application.
- (b) It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

**B.10 B.10 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(c)]**

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- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted under this permit shall contain certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, on the attached Certification Form, with each submittal.
- (c) A responsible official is defined at 326 IAC 2-7-1(34).

**B.11 Annual Compliance Certification [326 IAC 2-7-6(5)]**

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- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The certification shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in letter form no later than July 1 of each year to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Management  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

and

United States Environmental Protection Agency, Region V  
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590



- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAM, on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
  - (1) The identification of each term or condition of this permit that is the basis of the certification;
  - (2) The compliance status;
  - (3) Whether compliance was continuous or intermittent;
  - (4) The methods used for determining compliance of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and
  - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAM, may require to determine the compliance status of the source.

The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

B.12 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)]  
[326 IAC 1-6-3]

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- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMP) within ninety (90) days after issuance of this permit, including the following information on each facility:
  - (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
  - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions;
  - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

If due to circumstances beyond its control, the PMP cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Management  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

- (b) The Permittee shall implement the Preventive Maintenance Plans as necessary to ensure that failure to implement the Preventive Maintenance Plan does not cause or contribute to a violation of any limitation on emissions or potential to emit.

- (c) PMP's shall be submitted to IDEM, OAM, upon request and shall be subject to review and approval by IDEM, OAM. IDEM, OAM, may require the Permittee to revise its Preventive Maintenance Plan whenever lack of proper maintenance causes or contributes to any violation.

**B.13 Emergency Provisions [326 IAC 2-7-16]**

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- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation, except as provided in 326 IAC 2-7-16.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
  - (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
  - (2) The permitted facility was at the time being properly operated;
  - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
  - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAM within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Management,  
Compliance Section), or  
Telephone Number: 317-233-5674 (ask for Compliance Section)  
Facsimile Number: 317-233-5967

- (5) For each emergency lasting one (1) hour or more, the Permittee submitted notice, either in writing or facsimile, of the emergency to:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Management  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-7-5(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and
- (C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions) for sources subject to this rule after the effective date of this rule. This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) IDEM, OAM may require that the Preventive Maintenance Plans required under 2-7-4(c)(10) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAM by telephone or facsimile of an emergency lasting more than one (1) hour in compliance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
  - (1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
  - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:
    - (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
    - (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value.

Any operation shall continue no longer than the minimum time required to prevent the situations identified in (g)(2)(B) of this condition.

**B.14 Permit Shield [326 IAC 2-7-15]**

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- (a) This condition provides a permit shield as addressed in 326 IAC 2-7-15.
- (b) This permit shall be used as the primary document for determining compliance with applicable requirements established by previously issued permits. Compliance with the conditions of this permit shall be deemed in compliance with any applicable requirements as of the date of permit issuance, provided that:
  - (1) The applicable requirements are included and specifically identified in this permit; or
  - (2) The permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable.

- (c) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, including any term or condition from a previously issued construction or operation permit, IDEM, OAM shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.
- (d) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application.
- (e) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
  - (1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;
  - (2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;
  - (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and
  - (4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.
- (f) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).
- (g) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAM has issued the modifications. [326 IAC 2-7-12(c)(7)]
- (h) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAM has issued the modification. [2-7-12(b)(7)]

**B.15 Multiple Exceedances [326 IAC 2-7-5(1)(E)]**

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Any exceedance of a permit limitation or condition contained in this permit, which occurs contemporaneously with an exceedance of an associated surrogate or operating parameter established to detect or assure compliance with that limit or condition, both arising out of the same act or occurrence, shall constitute a single potential violation of this permit.

**B.16 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]**

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- (a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provisions), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported to:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

within ten (10) calendar days from the date of the discovery of the deviation.

- (b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit or a rule. It does not include:
  - (1) An excursion from compliance monitoring parameters as identified in Section D of this permit unless tied to an applicable rule or limit; or
  - (2) An emergency as defined in 326 IAC 2-7-1(12); or
  - (3) Failure to implement elements of the Preventive Maintenance Plan unless lack of maintenance has caused or contributed to a deviation.
  - (4) Failure to make or record information required by the compliance monitoring provisions of Section D unless such failure exceeds 5% of the required data in any calendar quarter.

A Permittee's failure to take the appropriate response step when an excursion of a compliance monitoring parameter has occurred is a deviation.

- (c) Written notification shall be submitted on the attached Emergency/Deviation Occurrence Reporting Form or its substantial equivalent. The notification does not need to be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (d) Proper notice submittal under 326 IAC 2-7-16 satisfies the requirement of this subsection.

**B.17 Permit Modification, Reopening, Revocation and Reissuance, or Termination**  
[326 IAC 2-7-5(6)(C)] [326 IAC 2-7-8(a)] [326 IAC 2-7-9]

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- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)]
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAM determines any of the following:
  - (1) That this permit contains a material mistake.
  - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
  - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]
- (c) Proceedings by IDEM, OAM to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAM at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAM may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

**B.18 Permit Renewal [326 IAC 2-7-4]**

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- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAM and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

- (b) Timely Submittal of Permit Renewal [326 IAC 2-7-4(a)(1)(D)]
- (1) A timely renewal application is one that is:
- (A) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
- (B) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAM on or before the date it is due. [326 IAC 2-5-3]
- (2) If IDEM, OAM, upon receiving a timely and complete permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.
- (c) Right to Operate After Application for Renewal [326 IAC 2-7-3]  
If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAM takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAM any additional information identified as being needed to process the application.
- (d) United States Environmental Protection Agency Authority [326 IAC 2-7-8(e)]  
If IDEM, OAM fails to act in a timely way on a Part 70 permit renewal, the U.S. EPA may invoke its authority under Section 505(e) of the Clean Air Act to terminate or revoke and reissue a Part 70 permit.

**B.19 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]**

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- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.
- (b) Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

Any such application should be certified by the "responsible official" as defined by 326 IAC 2-7-1(34) only if a certification is required by the terms of the applicable rule.

- (c) The Permittee may implement the administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.20 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)]  
[326 IAC 2-7-12 (b)(2)]

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- (a) No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.
- (b) Notwithstanding 326 IAC 2-7-12(b)(1)(D)(i) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

B.21 Operational Flexibility [326 IAC 2-7-20]

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- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e), without a prior permit revision, if each of the following conditions is met:
- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any approval required by 326 IAC 2-1.1 has been obtained;
- (3) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
- (4) The Permittee notifies the:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Management  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

and

United States Environmental Protection Agency, Region V  
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

- (5) The Permittee maintains records on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-7-20(b), (c), or (e) and makes such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAM, in the notices specified in 326 IAC 2-7-20(b)(1), (c)(1), and (e)(2).

- (b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a) and the following additional conditions:
  - (1) The permit shield, described in 326 IAC 2-7-15, shall not apply to any change made under 326 IAC 2-7-20(b).
  - (2) For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:
    - (i) A brief description of the change within the source;
    - (ii) The date on which the change will occur;
    - (iii) Any change in emissions; and
    - (iv) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

**B.22 Construction Permit Requirement [326 IAC 2] [326 IAC 2-7-10.5]**

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A modification, construction, or reconstruction shall be approved as if required by and in accordance with the applicable provisions of 326 IAC 2 and 326 IAC 2-7-10.5.

**B.23 Inspection and Entry [326 IAC 2-7-6(2)]**

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Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAM, U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;



- (d) Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) Utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.  
[326 IAC 2-7-6(6)]

**B.24 Transfer of Ownership or Operational Control [326 IAC 2-7-11]**

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- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:  
  
Indiana Department of Environmental Management  
Permits Branch, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015  
  
The application which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

**B.25 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)]**

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- (a) The Permittee shall pay annual fees to IDEM, OAM, within thirty (30) calendar days of receipt of a billing. If the Permittee does not receive a bill from IDEM, OAM, the applicable fee is due April 1 of each year. In the event of a failure by IDEM to send a bill, a miscalculation of the fee amount by the Permittee shall not be the basis of an enforcement action. The amount of the final fee owed must be determined in accordance with 326 IAC 2-7-19(e) regardless of whether the Permittee paid with or without the bill.
- (b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-0425 (ask for OAM, Technical Support and Modeling Section), to determine the appropriate permit fee.

## SECTION C SOURCE OPERATION CONDITIONS

Entire Source
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### Emission Limitations and Standards [326 IAC 2-7-5(1)]

**C.1 PSD Minor Source Status [326 IAC 2-2] [40 CFR 52.21]**

The total source potential to emit for SO<sub>2</sub> is limited to less than 250 tons per year. Therefore, the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration) and 40 CFR 52.21 will not apply.

**C.2 Particulate Matter Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour [326 IAC 6-3-2(c)]**

Pursuant to 326 IAC 6-3-2(c), the allowable particulate matter emissions rate from any process not already regulated by 326 IAC 6-1 or any New Source Performance Standard, and which has a maximum process weight rate less than 100 pounds per hour shall not exceed 0.551 pounds per hour.

**C.3 Opacity [326 IAC 5-1]**

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Exemptions), opacity shall meet the following, unless otherwise stated in this permit:

- (a) Opacity shall not exceed an average of forty percent (40%) any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) opacity for more than a cumulative total of fifteen (15) minutes (sixty (60) readings) as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

**C.4 Open Burning [326 IAC 4-1] [IC 13-17-9]**

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1. 326 IAC 4-1-3 (a)(2)(A) and (B) are not federally enforceable.

**C.5 Incineration [326 IAC 4-2][326 IAC 9-1-2]**

The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and 326 IAC 9-1-2. The provisions of 326 IAC 9-1-2 are not federally enforceable.

**C.6 Fugitive Dust Emissions [326 IAC 6-4]**

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). 326 IAC 6-4-2(4) is not federally enforceable.

**C.7 Operation of Equipment [326 IAC 2-7-6(6)]**

Except as otherwise provided in this permit, all air pollution control equipment listed in this permit and used to comply with an applicable requirement shall be operated at all times that the emission units vented to the control equipment are in operation.

**C.8 Stack Height [326 IAC 1-7]**

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The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted.

**C.9 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61.140]**

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- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
  - (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
  - (2) If there is a change in the following:
    - (A) Asbestos removal or demolition start date;
    - (B) Removal or demolition contractor; or
    - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

Indiana Department of Environmental Management  
Asbestos Section, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

The notifications do not require a certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (e) **Procedures for Asbestos Emission Control**  
The Permittee shall comply with the emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-4 emission control requirements are mandatory for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.

- (f) Indiana Accredited Asbestos Inspector  
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement that the inspector be accredited is federally enforceable.

### Testing Requirements [326 IAC 2-7-6(1)]

#### C.10 Performance Testing [326 IAC 3-6]

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- (a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAM.

A test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Management  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

no later than thirty-five (35) days prior to the intended test date. The Permittee shall submit a notice of the actual test date to the above address so that it is received at least two weeks prior to the test date.

- (b) All test reports must be received by IDEM, OAM within forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAM, if the source submits to IDEM, OAM, a reasonable written explanation within five (5) days prior to the end of the initial forty-five (45) day period.

The documentation submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

### Compliance Monitoring Requirements [326 IAC 2-7-5(1)] [326 IAC 2-7-6(1)]

#### C.11 Compliance Schedule [326 IAC 2-7-6(3)]

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- (a) With its permit application, the Permittee:
- (1) Has certified that all facilities at this source are in compliance with all applicable requirements; and
  - (2) Has submitted a statement that the Permittee will continue to comply with such requirements.
- (b) The Permittee will comply with such applicable requirements that become effective during the term of this permit.

**C.12 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]**

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Compliance with applicable requirements shall be documented as required by this permit. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any newly required monitoring, no more than ninety (90) days after receipt of this permit or by a later date specified by an applicable requirement. If a previous or existing approval or applicable requirement mandates compliance monitoring, the source will continue or initiate such monitoring. If due to circumstances beyond its control, this schedule cannot be met, the Permittee may extend the compliance schedule for newly required monitoring an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Management  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.

The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

**C.13 Maintenance of Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]**

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- (a) In the event that a breakdown of the monitoring equipment occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem. To the extent practicable, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less frequent than required in Section D of this permit until such time as the monitoring equipment is back in operation. In the case of continuous monitoring, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less than one (1) hour until such time as the continuous monitor is back in operation.
- (b) The Permittee shall install, calibrate, quality assure, maintain, and operate all necessary monitors and related equipment. In addition, prompt corrective action shall be initiated whenever indicated.

**C.14 Monitoring Methods [326 IAC 3]**

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Any monitoring or testing required by Section D of this Permit, shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, or other approved methods as specified in this permit.

**C.15 Pressure Gauge Specifications**

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Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent (  $\pm 2\%$  ) of full scale reading.

**Corrective Actions and Response Steps [326 IAC 2-7-5] [326 IAC 2-7-6]**

**C.16 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]**

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Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

- (a) The Permittee shall prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.

- (b) These ERPs shall be submitted for approval to:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

within ninety (90) days after the date of issuance of this permit.

The ERP does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) If the ERP is disapproved by IDEM, OAM, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.
- (d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.
- (e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.
- (f) Upon direct notification by IDEM, OAM, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.17 Compliance Monitoring Plan - Failure to Take Response Steps [326 IAC 2-7-5] [326 IAC 2-7-6] [326 IAC 1-6]

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- (a) The Permittee is required to implement a compliance monitoring plan to ensure that reasonable information is available to evaluate its continuous compliance with applicable requirements. This compliance monitoring plan is comprised of:
- (1) This condition;
  - (2) The Compliance Determination Requirements in Section D of this permit;
  - (3) The Compliance Monitoring Requirements in Section D of this permit;
  - (4) The Record Keeping and Reporting Requirements in Section C (Monitoring Data Availability, General Record Keeping Requirements, and General Reporting Requirements) and in Section D of this permit; and
  - (5) A Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. CRP's shall be submitted to IDEM, OAM upon request and shall be subject to review and approval by IDEM, OAM. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee and maintained on site, and is comprised of :
    - (A) Response steps that will be implemented in the event that compliance related information indicates that a response step is needed pursuant to the requirements of Section D of this permit; and

- (B) A time schedule for taking such response steps including a schedule for devising additional response steps for situations that may not have been predicted.
- (b) For each compliance monitoring condition of this permit, appropriate response steps shall be taken when indicated by the provisions of that compliance monitoring condition. Failure to perform the actions detailed in the compliance monitoring conditions or failure to take the response steps within the time prescribed in the Compliance Response Plan, shall constitute a violation of the permit unless taking the response steps set forth in the Compliance Response Plan would be unreasonable.
- (c) After investigating the reason for the excursion, the Permittee is excused from taking further response steps for any of the following reasons:
  - (1) The monitoring equipment malfunctioned, giving a false reading. This shall be an excuse from taking further response steps providing that prompt action was taken to correct the monitoring equipment.
  - (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for an administrative amendment to the permit, and such request has not been denied or;
  - (3) An automatic measurement was taken when the process was not operating; or
  - (4) The process has already returned to operating within "normal" parameters and no response steps are required.
- (d) Records shall be kept of all instances in which the compliance related information was not met and of all response steps taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.

C.18 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]  
[326 IAC 2-7-6]

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- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate corrective actions. The Permittee shall submit a description of these corrective actions to IDEM, OAM, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the corrective actions are being implemented.
- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAM that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAM may extend the retesting deadline. Failure of the second test to demonstrate compliance with the appropriate permit conditions may be grounds for immediate revocation of the permit to operate the affected facility.
- (c) IDEM, OAM reserves the authority to take any actions allowed under law to resolve noncompliant stack tests.

**Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]**

**C.19 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]**

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- (a) The Permittee shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6, that must be received by July 1 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The annual emission statement shall meet the following requirements:
  - (1) Indicate actual emissions of criteria pollutants from the source, in compliance with 326 IAC 2-6 (Emission Reporting);
  - (2) Indicate actual emissions of other regulated pollutants from the source, for purposes of Part 70 fee assessment.
- (b) The annual emission statement covers the twelve (12) consecutive month time period starting January 1 and ending December 31. The annual emission statement must be submitted to:

Indiana Department of Environmental Management  
Technical Support and Modeling Section, Office of Air Management  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015
- (c) The annual emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAM on or before the date it is due.

**C.20 Monitoring Data Availability [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)]**

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- (a) With the exception of performance tests conducted in accordance with Section C-Performance Testing, all observations, sampling, maintenance procedures, and record keeping, required as a condition of this permit shall be performed at all times the equipment is operating at normal representative conditions.
- (b) As an alternative to the observations, sampling, maintenance procedures, and record keeping of subsection (a) above, when the equipment listed in Section D of this permit is not operating, the Permittee shall either record the fact that the equipment is shut down or perform the observations, sampling, maintenance procedures, and record keeping that would otherwise be required by this permit.
- (c) If the equipment is operating but abnormal conditions prevail, additional observations and sampling should be taken with a record made of the nature of the abnormality.
- (d) If for reasons beyond its control, the operator fails to make required observations, sampling, maintenance procedures, or record keeping, reasons for this must be recorded.
- (e) At its discretion, IDEM may excuse such failure providing adequate justification is documented and such failures do not exceed five percent (5%) of the operating time in any quarter.



- (f) Temporary, unscheduled unavailability of staff qualified to perform the required observations, sampling, maintenance procedures, or record keeping shall be considered a valid reason for failure to perform the requirements stated in (a) above.

**C.21 General Record Keeping Requirements [326 IAC 2-7-5(3)][326 IAC 2-7-6]**

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- (a) Records of all required monitoring data and support information shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be kept at the source location for a minimum of three (3) years and available upon the request of an IDEM, OAM representative. The records may be stored elsewhere for the remaining two (2) years as long as they are available within a reasonable time. If the Commissioner makes a written request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- (b) Records of required monitoring information shall include, where applicable:
  - (1) The date, place, and time of sampling or measurements;
  - (2) The dates analyses were performed;
  - (3) The company or entity performing the analyses;
  - (4) The analytic techniques or methods used;
  - (5) The results of such analyses; and
  - (6) The operating conditions existing at the time of sampling or measurement.
- (c) Support information shall include, where applicable:
  - (1) Copies of all reports required by this permit;
  - (2) All original strip chart recordings for continuous monitoring instrumentation;
  - (3) All calibration and maintenance records;
  - (4) Records of preventive maintenance shall be sufficient to demonstrate that improper maintenance did not cause or contribute to a violation of any limitation on emissions or potential to emit. To be relied upon subsequent to any such violation, these records may include, but are not limited to: work orders, parts inventories, and operator's standard operating procedures. Records of response steps taken shall indicate whether the response steps were performed in accordance with the Compliance Response Plan required by Section C - Compliance Monitoring Plan - Failure to take Response Steps, of this permit, and whether a deviation from a permit condition was reported. All records shall briefly describe what maintenance and response steps were taken and indicate who performed the tasks.
- (d) All record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

**C.22 General Reporting Requirements [326 IAC 2-7-5(3)(C)][326 IAC 2-1.1-11]**

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- (a) To affirm that the source has met all the compliance monitoring requirements stated in this permit the source shall submit a Quarterly Compliance Monitoring Report. Any deviation from the requirements and the date(s) of each deviation must be reported. The Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Management  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAM on or before the date it is due.
- (d) Unless otherwise specified in this permit, any report shall be submitted within thirty (30) days of the end of the reporting period. The report does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) All instances of deviations as described in Section B- Deviations from Permit Requirements Conditions must be clearly identified in such reports. The Emergency/Deviation Occurrence Report does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (f) Any corrective actions or response steps taken as a result of each deviation must be clearly identified in such reports.
- (g) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period.

### **Stratospheric Ozone Protection**

#### **C.23 Compliance with 40 CFR 82 and 326 IAC 22-1**

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Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with the standards for recycling and emissions reduction:

- (a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.
- (b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
- (c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

## SECTION D.1

## FACILITY OPERATION CONDITIONS

### Facility Description [326 IAC 2-7-5(15)]

One (1) fluidized, coal-fired boiler, identified as 01, constructed in 1981, with a heat input capacity of 50 million Btu per hour, using natural gas as a backup fuel, dry limestone injection for sulfur dioxide (SO<sub>2</sub>) control, a cyclone centrifugal separator and baghouse for particulate matter control, and exhausting to stack A;

One (1) traveling grate, coal-fired boiler, identified as 02, constructed in 1989, with a heat input capacity of 50 million Btu per hour, using a cyclone centrifugal separator for particulate matter control, and exhausting to stack B;

One (1) natural gas-fired dryer, identified as 04, constructed in 1994, with a heat input capacity of 20 million Btu per hour, using No. 2 fuel oil as a backup fuel, a cyclone centrifugal separator and a wet scrubber for particulate matter control, and exhausting to stack D;

One (1) natural gas-fired boiler, identified as 03, constructed in 1989, with a heat input capacity of 33.746 million Btu per hour, and exhausting to stack C.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

### Emission Limitations and Standards [326 IAC 2-7-5(1)]

#### D.1.1 Sulfur Dioxide (SO<sub>2</sub>) [326 IAC 7-1.1-1]

Pursuant to 326 IAC 7-1.1 (SO<sub>2</sub> Emissions Limitations) the SO<sub>2</sub> emissions when combusting coal from boiler 01 and boiler 02 shall not exceed six (6.0) pounds per MMBtu heat input. The SO<sub>2</sub> emissions when combusting No. 2 fuel oil from dryer 04 shall not exceed five-tenths (0.5) pounds per MMBtu heat input.

#### D.1.2 PSD Minor Source Status [326 IAC 2-2] [40 CFR 52.21]

Pursuant to OP 28-12-93-0051:

- (a) The sulfur dioxide (SO<sub>2</sub>) emissions from boiler 02 shall be limited to 20.5 tons per month which equates to 2.4 pounds of SO<sub>2</sub> per million Btu of heat input.
- (b) Dryer 04 shall be limited to 1,083,333 gallons of No.2 distillate fuel oil per 12 month period, rolled on a monthly basis.
- (c) The total source potential to emit for SO<sub>2</sub> and for PM is limited to less than 250 tons per year.

These limitations shall render the PSD rules under 326 IAC 2-2 and 40 CFR 52.21 not applicable.

#### D.1.3 Particulate Matter (PM) [326 IAC 6-2-3]

Pursuant to 326 IAC 6-2-3 (Particulate Matter Emission Limitations for Sources of Indirect Heating), the PM emissions from boiler 01 shall be limited to 0.60 pounds per million British thermal unit.

**D.1.4 Particulate Matter (PM) [326 IAC 6-2-4]**

Pursuant to 326 IAC 6-2-4 (Particulate Matter Emission Limitations for Sources of Indirect Heating), the PM emissions from boiler 02 and boiler 03 each shall be limited to 0.305 lb/MMBtu. These limits were established by the following equation:

$$P_t = \frac{1.09}{Q^{0.26}}$$

where  $P_t$  = pounds of particulate matter emitted per million Btu (lb/MMBtu) heat input;  
and  
 $Q$  = total source maximum operating capacity rating in million Btu per hour (MMBtu/hr) heat input.

**D.1.5 Particulate Matter (PM) [326 IAC 6-3-2(c)]**

Pursuant to 326 IAC 6-3-2(c), the PM from dryer 04 shall not exceed 37.9 pounds per hour when operating at a process weight rate of 55,284 pounds per hour.

Interpolation of the data for the process weight rate from one hundred (100) pounds per hour up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 4.10 P^{0.67} \quad \text{where } E = \text{rate of emission in pounds per hour; and} \\ P = \text{process weight rate in tons per hour}$$

**D.1.6 Preventive Maintenance Plan [326 IAC 2-7-5(13)]**

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for these facilities and their control devices.

**Compliance Determination Requirements**

**D.1.7 Testing Requirements [326 IAC 2-7-6(1),(6)]**

The Permittee is not required to test this facility by this permit. However, IDEM may require compliance testing at any specific time when necessary to determine if the facility is in compliance. If testing is required by IDEM, compliance with the SO<sub>2</sub> and PM limits specified in Conditions D.1.1, D.1.2, D.1.3, D.1.4, and D.1.5 shall be determined by performance tests conducted in accordance with Section C - Performance Testing.

**D.1.8 Sulfur Dioxide Emissions and Sulfur Content**

Compliance when using fuel oil No. 2 in dryer 04 shall be determined utilizing one of the following options.

- (a) Pursuant to 326 IAC 7-1.1-2 (Sulfur Dioxide Limitations), sulfur dioxide emissions from the combustion of distillate #2 fuel oil shall be limited to 0.5 pounds per million British thermal units of heat input. For the purpose of determining compliance, this limitation shall be considered equivalent to a sulfur content of five tenths of a percent (0.5 %) by weight or less in the distillate fuel oil. Compliance with the limit contained in Condition D.1.1 may be determined by:
  - (1) Providing vendor analysis of fuel delivered, if accompanied by a certification; or
  - (2) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40 CFR 60, Appendix A, Method 19.
    - (A) Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted; and
    - (B) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling; or

- (b) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the 20 million British thermal units per hour (mmBtu/hr) dryer 04, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6.

A determination of noncompliance pursuant to either of the methods specified in (a) or (b) above shall not be refuted by evidence of compliance pursuant to the other method.

**D.1.9 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 2-7-5(3)(A)] [326 IAC 2-7-6] [326 IAC 7-1.1] [326 IAC 7-2-1]**

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The Permittee shall demonstrate compliance of boiler 01 with Condition D.1.1 and boiler 02 with Condition D.1.2 utilizing one of the following options:

- (a) Providing vendor analysis of coal delivered, if accompanied by a certification from the fuel supplier, as described under 40 CFR 60.48c(f)(3). The certification shall include:
  - (1) The name of the coal supplier; and
  - (2) The location of the coal when the sample was collected for analysis to determine the properties of the coal, specifically including whether the coal was sampled as delivered to the affected facility or whether the coal was collected from coal in storage at the mine, at a coal preparation plant, at a coal supplier's facility, or at another location. The certification shall include the name of the coal mine (and coal seam), coal storage facility, or coal preparation plant (where the sample was collected); and
  - (3) The results of the analysis of the coal from which the shipment came (or of the shipment itself) including the sulfur content, moisture content, ash content, and heat content; and
  - (4) The methods used to determine the properties of the coal; or
- (b) Sampling and analyzing the coal by using one of the following procedures:
  - (1) Minimum Coal Sampling Requirements and Analysis Methods:
    - (A) The coal sample acquisition point shall be at a location where representative samples of the total coal flow to be combusted by the facility or facilities may be obtained. A single as-bunkered or as-burned sampling station may be used to represent the coal to be combusted by multiple facilities using the same stockpile feed system;
    - (B) Coal shall be sampled at least one (1) time per day;
    - (C) Minimum sample size shall be five hundred (500) grams;
    - (D) Samples shall be composited and analyzed at the end of each calendar quarter;
    - (E) Preparation of the coal sample, heat content analysis, and sulfur content analysis shall be determined pursuant to 326 IAC 3-7-2(c), (d), (e); or
  - (2) Sample and analyze the coal pursuant to 326 IAC 3-7-3; or

- (c) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the boiler, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6, which is conducted with such frequency as to generate the amount of information required by (a) or (b) above. [326 IAC 7-2-1(b)]

A determination of noncompliance pursuant to any of the methods specified in (a), (b), or (c) above shall not be refuted by evidence of compliance pursuant to the other method.

#### **D.1.10 Particulate Matter (PM)**

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The cyclone centrifugal separators associated with boilers 01, 02, and dryer 04, the baghouse associated with boiler 01, the dry limestone injection system associated with boiler 01, and the wet scrubber for PM control associated with dryer 04 shall be in operation at all times when boilers, 01, 02, and dryer 04 are in operation and exhausting to the outside atmosphere.

### **Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]**

#### **D.1.11 Visible Emissions Notations**

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- (a) Daily visible emission notations of the boilers and dryers stack exhaust shall be performed during normal daylight operations when burning coal or No. 2 fuel oil and when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is observed.

#### **D.1.12 Parametric Monitoring**

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- (a) The Permittee shall record the total static pressure drop across the baghouse used in conjunction with the boiler 01, at least once weekly when boiler 01 is in operation and venting to the atmosphere. Unless operated under conditions for which the Compliance Response Plan specifies otherwise, the pressure drop across the baghouse shall be maintained within the range of 2.0 and 8.0 inches of water or a range established during the latest stack test. The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when the pressure reading is outside of the above mentioned range for any one reading.
- (b) The instrument used for determining the pressure shall comply with Section C - Pressure Gauge Specifications, of this permit, shall be subject to approval by IDEM, OAM, and shall be calibrated or replaced at least once every six (6) months.

- (c) The coal delivery system which supplies fuel to the boiler 01 is electrically interlocked with a limestone delivery system. When coal is fed into the boiler (on a demand-feed basis), the limestone delivery system is automatically activated to feed a a preselected ratio. The electrical interlock of this system is set so the delivery of coal cannot occur without delivery of limestone. The Permittee shall perform monthly trip checks of the switches monitoring the coal delivery/limestone delivery interlock. Unless operated under conditions for which the Preventive Maintenance Plan specifies otherwise, the Preventive Maintenance Plan for this unit shall contain troubleshooting contingency and corrective actions for when the interlock is not operating correctly.

#### **D.1.13 Broken or Failed Bag Detection**

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In the event that bag failure has been observed:

- (a) The affected compartments will be shut down immediately until the failed units have been repaired or replaced. Within eight (8) hours of the determination of failure, response steps according to the timetable described in the Compliance Response Plan shall be initiated. For any failure with corresponding response steps and timetable not described in the Compliance Response Plan, response steps shall be devised within eight (8) hours of discovery of the failure and shall include a timetable for completion. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).
- (b) For single compartment baghouses, failed units and the associated process will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

#### **D.1.14 Control Device Inspections [326 IAC 2-7-1(21)(G)(xxix)]**

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An external inspection shall be performed each week of all the cyclones controlling the boilers 01 and 02 when venting to the atmosphere. Inspections are not required when a cyclone is venting to the indoors.

### **Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]**

#### **D.1.15 Record Keeping Requirements**

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- (a) To document compliance with Conditions D.1.2 and D.1.8, the Permittee shall maintain records for dryer 04 in accordance with (1) through (5) below.
- (1) Calendar dates covered in the compliance determination period;
- (2) Actual No. 2 distillate fuel oil usage since last compliance determination period;
- (3) If the fuel supplier certification is used to demonstrate compliance the following shall be maintained:
- (A) Fuel supplier certifications;
- (B) A certification, signed by the owner or operator, that the records of the fuel supplier certifications represent all of the fuel combusted during the period; and
- (C) The name of the fuel supplier.

The Permittee shall retain records of all recording/monitoring data and support information for a period of five (5) years, or longer if specified elsewhere in this permit, from the date of the monitoring sample, measurement, or report. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.

- (b) To document compliance with Condition D.1.1 and D.1.2, the Permittee shall maintain records for boiler 01 and boiler 02 in accordance with (1) through (7) below. Records maintained for (1) through (4) and (7) shall be taken monthly and shall be complete and sufficient to establish compliance with the emission limits established in D.1.1. Records maintained for (6) shall be taken daily and shall be complete and sufficient to establish compliance with the emission limits established in D.1.1.
  - (1) Calendar dates covered in the compliance determination period; and
  - (2) Actual coal usage since last compliance determination period; and
  - (3) Average sulfur content, and heat content of coal; and
  - (4) Monthly average sulfur dioxide emission rates; and
  - (5) Vendor analysis of coal and coal supplier certification, if the vendor analysis is used to determine compliance.
  - (6) The limestone/coal feed ratio of the dry limestone injection system.
  - (7) A log of the dry limestone injection/coal delivery interlock monthly trip checks.
- (c) To document compliance with Condition D.1.11, the Permittee shall maintain records of daily visible emission notations of the boilers stack exhaust.
- (d) Pursuant to 40 CFR 60.40c, the Permittee shall record and maintain records of the amounts of fuel combusted during each day for a period of two years following the date of such record for boiler 03.
- (e) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

#### D.1.16 Reporting Requirements

- (a) A quarterly summary of the information to document compliance with Condition D.1.2 shall be submitted to the address listed in Section C - General Reporting Requirements, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported.
- (b) An annual certification shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the Natural Gas Fired Boiler Certification form located at the end of this permit, or its equivalent, no later than July 1 of each year for the boilers 01 and 03 and dryer 04.



## SECTION D.2

## FACILITY OPERATION CONDITIONS

### Facility Description [326 IAC 2-7-5(15)]

Material storage and handling facilities including:

- (a) seven (7) enclosed tanks totaling 420 tons of capacity, used for storing tallow/grease, with enclosed piping for material handling,
- (b) three (3) 250 ton capacity enclosed silos, used for storing meat meal, feather meal, and poultry meal, with three (3) screw conveyors for material handling, and
- (c) one (1) 30 ton capacity enclosed silo, used for storing blood meal, with one (1) screw conveyor for material handling.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

### Emission Limitations and Standards [326 IAC 2-7-5(1)]

#### D.2.1 Particulate Matter (PM) [326 IAC 6-3]

Pursuant to 326 IAC 6-3 (Process Operations), the PM from the material storage and handling facilities shall not exceed 33.13 pounds per hour when operating at a process weight rate of 45,230 pounds per hour. The pound per hour emission rate was established as E in the following formula:

Interpolation of the data for the process weight rate from one hundred (100) pounds per hour up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 4.10 P^{0.67}$$

where E = rate of emission in pounds per hour; and  
P = process weight rate in tons per hour

### Compliance Determination Requirements

#### D.2.2 Testing Requirements [326 IAC 2-7-6(1),(6)]

The Permittee is not required to test this facility by this permit. However, IDEM may require compliance testing at any specific time when necessary to determine if the facility is in compliance. If testing is required by IDEM, compliance with the PM limit specified in Condition D.2.1 shall be determined by performance tests conducted in accordance with Section C - Performance Testing.

### Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

#### D.2.3 Monitoring

Monitoring of these facilities is not specifically required by this permit.

### Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

#### D.2.4 Record Keeping Requirements

There are no record keeping requirements specifically addressing these facilities.

#### D.2.5 Reporting Requirements

There are no reporting requirements specifically addressing these facilities.

## SECTION D.3 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]	Insignificant Activities
Three (3) cold cleaners, each with 22 gallon reservoirs.	
(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)	

### Emission Limitations and Standards [326 IAC 2-7-5(1)]

#### D.3.1 Volatile Organic Compound (VOC) [326 IAC 8-3-2]

Pursuant to 326 IAC 8-3-2 (Cold Cleaner Operations), the owner or operator of the cold cleaning facilities shall:

- (a) Equip the cleaner with a cover;
- (b) Equip the cleaner with a facility for draining cleaned parts;
- (c) Close the degreaser cover whenever parts are not being handled in the cleaner;
- (d) Drain cleaned parts for at least fifteen (15) seconds or until dripping ceases;
- (e) Provide a permanent, conspicuous label summarizing the operation requirements;
- (f) Store waste solvent only in covered containers and not dispose of waste solvent or transfer it to another party, in such a manner that greater than twenty percent (20%) of the waste solvent (by weight) can evaporate into the atmosphere.

### Compliance Determination Requirements

#### D.3.2 Testing Requirements [326 IAC 2-7-6(1),(6)]

The Permittee is not required to test this facility by this permit. However, IDEM may require compliance testing at any specific time when necessary to determine if the facility is in compliance. If testing is required by IDEM, compliance shall be determined by performance tests conducted in accordance with Section C - Performance Testing.

### Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

#### D.3.3 Monitoring

Monitoring of these facilities is not specifically required by this permit.

### Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

#### D.3.4 Record Keeping Requirements

There are no record keeping requirements applicable to the cold cleaning facilities.

#### D.3.5 Reporting Requirements

There are no reporting requirements applicable to the cold cleaning facilities.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR MANAGEMENT  
COMPLIANCE DATA SECTION**

**PART 70 OPERATING PERMIT  
CERTIFICATION**

Source Name: Griffin Industries  
Source Address: Route 1 Box 112, Newberry, IN 47449  
Mailing Address: Route 1 Box 112, Newberry, IN 47449  
Part 70 Permit No.: T 055-6063-00008

**This certification shall be included when submitting monitoring, testing reports/results or other documents as required by this permit.**

Please check what document is being certified:

- 9 Annual Compliance Certification Letter
- 9 Test Result (specify) \_\_\_\_\_
- 9 Report (specify) \_\_\_\_\_
- 9 Notification (specify) \_\_\_\_\_
- 9 Other (specify) \_\_\_\_\_

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Signature:

Printed Name:

Title/Position:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**  
**OFFICE OF AIR MANAGEMENT**  
**COMPLIANCE DATA SECTION**  
**P.O. Box 6015**  
**100 North Senate Avenue**  
**Indianapolis, Indiana 46206-6015**  
**Phone: 317-233-5674**  
**Fax: 317-233-5967**

**PART 70 OPERATING PERMIT**  
**EMERGENCY/DEVIATION OCCURRENCE REPORT**

Source Name: Griffin Industries  
Source Address: Route 1 Box 112, Newberry, IN 47449  
Mailing Address: Route 1 Box 112, Newberry, IN 47449  
Part 70 Permit No.: T 055-6063-00008

**This form consists of 2 pages**

**Page 1 of 2**

Check either No. 1 or No.2

- 9** 1. This is an emergency as defined in 326 IAC 2-7-1(12)  
C The Permittee must notify the Office of Air Management (OAM), within four (4) business hours (1-800-451-6027 or 317-233-5674, ask for Compliance Section); and  
C The Permittee must submit notice in writing or by facsimile within two (2) days (Facsimile Number: 317-233-5967), and follow the other requirements of 326 IAC 2-7-16
- 9** 2. This is a deviation, reportable per 326 IAC 2-7-5(3)(c)  
C The Permittee must submit notice in writing within ten (10) calendar days

If any of the following are not applicable, mark N/A

Facility/Equipment/Operation:

Control Equipment:

Permit Condition or Operation Limitation in Permit:

Description of the Emergency/Deviation:

Describe the cause of the Emergency/Deviation:

If any of the following are not applicable, mark N/A

**Page 2 of 2**

Date/Time Emergency/Deviation started:
Date/Time Emergency/Deviation was corrected:
Was the facility being properly operated at the time of the emergency/deviation?    Y    N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO <sub>2</sub> , VOC, NO <sub>x</sub> , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency/deviation:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by: \_\_\_\_\_  
Title / Position: \_\_\_\_\_  
Date: \_\_\_\_\_  
Phone: \_\_\_\_\_

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR MANAGEMENT  
COMPLIANCE DATA SECTION**

**PART 70 OPERATING PERMIT  
NATURAL GAS FIRED BOILER CERTIFICATION**

Source Name: Griffin Industries  
Source Address: Route 1 Box 112, Newberry, IN 47449  
Mailing Address: Route 1 Box 112, Newberry, IN 47449  
Part 70 Permit No.: T 055-6063-00008

**This certification shall be included when submitting monitoring, testing reports/results  
or other documents as required by this permit.**

Report period

Beginning: \_\_\_\_\_

Ending: \_\_\_\_\_

Boiler Affected

Alternate Fuel

Days burning alternate fuel

From

To


I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Signature:

Printed Name:

Title/Position:

Date:

# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

## OFFICE OF AIR MANAGEMENT

### COMPLIANCE DATA SECTION

#### Part 70 Quarterly Report

Source Name: Griffin Industries  
 Source Address: Route 1 Box 112, Newberry, IN 47449  
 Mailing Address: Route 1 Box 112, Newberry, IN 47449  
 Part 70 Permit No.: T 055-6063-00008  
 Facility: Source-wide emissions  
 Parameter: SO<sub>2</sub> emissions  
 Limit: 250 tons per year

YEAR: \_\_\_\_\_

Month	Usage in tons of coal per month	% by weight Sulfur	lb SO <sub>2</sub> per mmBtu	SO <sub>2</sub> emissions (tons/month)	SO <sub>2</sub> emissions Previous 11 Months (tons)	SO <sub>2</sub> emissions 12 Month Total (tons)

  

Month	Usage in gallons of fuel oil per month	% by weight Sulfur	lb SO <sub>2</sub> per mmBtu	SO <sub>2</sub> emissions (tons/month)	SO <sub>2</sub> emissions Previous 11 Months (tons)	SO <sub>2</sub> emissions 12 Month Total (tons)

Total of SO <sub>2</sub> Emissions from coal and fuel oil combustion (should be # 250 tons/year)						
--------------------------------------------------------------------------------------------------	--	--	--	--	--	--

- 9 No deviation occurred in this quarter.  
 9 Deviation/s occurred in this quarter.  
 Deviation has been reported on: \_\_\_\_\_

Submitted by: \_\_\_\_\_  
 Title / Position: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Phone: \_\_\_\_\_

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR MANAGEMENT  
COMPLIANCE DATA SECTION**

**PART 70 OPERATING PERMIT  
QUARTERLY COMPLIANCE MONITORING REPORT**

Source Name: Griffin Industries  
Source Address: Route 1 Box 112, Newberry, IN 47449  
Mailing Address: Route 1 Box 112, Newberry, IN 47449  
Part 70 Permit No.: T 055-6063-00008

Months: \_\_\_\_\_ to \_\_\_\_\_ Year: \_\_\_\_\_

This report is an affirmation that the source has met all the compliance monitoring requirements stated in this permit. This report shall be submitted quarterly. Any deviation from the compliance monitoring requirements and the date(s) of each deviation must be reported. Additional pages may be attached if necessary. This form can be supplemented by attaching the Emergency/Deviation Occurrence Report. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".

**9 NO DEVIATIONS OCCURRED THIS REPORTING PERIOD**

**9 THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD.**

<b>Compliance Monitoring Requirement</b> (e.g. Permit Condition D.1.3)	<b>Number of</b> <b>Deviations</b>	<b>Date of each Deviations</b>

Form Completed By: \_\_\_\_\_  
Title/Position: \_\_\_\_\_  
Date: \_\_\_\_\_  
Phone: \_\_\_\_\_

Attach a signed certification to complete this report.



# Indiana Department of Environmental Management Office of Air Management

## Addendum to the Technical Support Document for Part 70 Operating Permit

Source Name:	Griffin Industries
Source Location:	Route 1 Box 112, Newberry, Indiana 47449
County:	Greene
SIC Code:	2077
Operation Permit No.:	T 055-6063-00008
Permit Reviewer:	Holly M. Stockrahm

On October 29, 1999, the Office of Air Management (OAM) had a notice published in the Linton Daily Citizen, Linton, Indiana, stating that Griffin Industries had applied for a Part 70 Operating Permit to operate a stationary animal and agricultural byproducts rendering operation. The notice also stated that OAM proposed to issue a permit for this operation and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

On December 1, 1999, Griffin Industries submitted comments on the proposed Part 70 permit. The summary of the comments is as follows:

### Comment 1:

Griffin is concerned with IDEM's characterization of the Newberry plant as a "major source" under PSD rules. Griffin proposes to take enforceable limits on potentials to emit regulated pollutants that keep Griffin under the major source thresholds for PSD.

### Response to Comment 1:

The source has never had actual emissions greater than 250 tons per year, therefore, the following conditions C.1 and D.1.2 shall include changes will be made to the final Part 70 permit to incorporate an overall SO<sub>2</sub> and PM source-wide limit of 250 tons per twelve (12) consecutive month period, and Section C shall be renumbered accordingly.

#### A.1 General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)]

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The Permittee owns and operates a stationary animal and agricultural byproducts rendering operation.

Responsible Official:	F. Michael Schmidt
Source Address:	Route 1 Box 112, Newberry, IN 47449
Mailing Address:	Route 1 Box 112, Newberry, IN 47449
Phone Number:	606-781-2010
SIC Code:	2077
County Location:	Greene
County Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Permit Program
	<del>Major</del> Minor Source, under PSD Rules
	Major Source, Section 112 of the Clean Air Act

**C.1 PSD Minor Source Status [326 IAC 2-2] [40 CFR 52.21]**

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The total source potential to emit for SO<sub>2</sub> is limited 250 tons per year. Therefore, the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration) and 40 CFR 52.21 will not apply.

**D.1.2 PSD Minor Source Status [326 IAC 2-2] [40 CFR 52.21]**

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Pursuant to OP 28-12-93-0051:

- (a) The sulfur dioxide (SO<sub>2</sub>) emissions from boiler 02 shall be limited to 20.5 tons per month which equates to 2.4 pounds of SO<sub>2</sub> per million Btu of heat input.
- (b) Dryer 04 shall be limited to 1,083,333 gallons of No.2 distillate fuel oil per 12 month period, rolled on a monthly basis.
- (c) The total source potential to emit for SO<sub>2</sub> and for PM is limited to less than 250 tons per year.

**Comment 2:**

Under A.2 Emission Units and Pollution Control Equipment Summary, the description of the material storage and handling facilities included in subsection (e) of this Condition is inaccurate. Griffin does not have "one (1) 420 ton capacity enclosed silo" as listed in subsection (e)(1). Griffin believes that IDEM is referring to seven (7) enclosed tanks totaling 420 tons of capacity. The Condition should be changed accordingly.

**Response to Comment 2:**

OAM agrees. The description shall be changed as follows:

- (e) Material storage and handling facilities including:
  - (1) ~~one (1) 420-ton capacity enclosed silo~~ **seven (7) enclosed tanks totaling 420 tons of capacity**, used for storing tallow/grease, with enclosed piping for material handling,

**Comment 3:**

Condition B.2 Definitions as written is not consistent with the law and should be changed as follows:

**B.2 Definitions [326 IAC 2-7-1]**

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Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, ~~any the~~ applicable definitions found in **the statutes or regulations** (IC 13-11, 326 IAC 1-2 and 326 IAC 2-7) shall prevail.

**Response to Comment: 3:**

The specific statutes and regulations are IC 13-11, 326 IAC 1-2, and 326 IAC 2-7. The condition should be revised as follows:

**B.2 Definitions [326 IAC 2-7-1]**

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Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, ~~any the~~ applicable definitions found in **the statutes or regulations**, IC 13-11, 326 IAC 1-2 and 326 IAC 2-7, shall prevail.

**Comment 4:**

Griffin is concerned with the reference to "citizens under the Clean Air Act" in subsection (b). Citizen's rights to enforce Title V permits are governed by the Clean Air Act Section 304, and the court's interpretations of those rights. There is no obligation to include language in the Permit regarding citizens' right under the Clean Air Act, nor is there any benefit. In fact, the reference to citizens' rights in the permit creates the possibility for confusion as to what rights citizens have. In addition, certain terms of the permit, such as descriptive information, are not enforceable by IDEM, the US EPA, or citizens. Accordingly, Griffin recommends that the condition be revised as follows:

**B.4 Enforceability [326 IAC 2-7-7(a)]**

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- (a) ~~All terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM.~~
- (b) Unless otherwise stated, **all** terms and conditions of this permit, including any provisions **designed** to limit the source's potential to emit, are enforceable by **IDEM**, the United States Environmental Protection Agency (U.S. EPA) and **by** citizens ~~under~~ **in accordance with** the Clean Air Act.

**Response to Comment: 4:**

OAM agrees. In order to clarify citizens rights under the Clean Air Act, IDEM will revise Condition B.4 as shown above.

**Comment 5:**

In Condition B.8 Duty to Supplement and Provide Information, Griffin recommends that the language of subsection (c) be revised to prevent the Condition from becoming unduly burdensome to Griffin. Griffin must be allowed a reasonable time to comply with requests for records. Also, Subsection (c) contains a provision dictating that any confidentiality claim meet the requirements of the federal and state confidentiality regulations. This extraneous provision should be deleted. It suggests that a permit violation occurs if some element of a confidentiality claim is not consistent with the regulations. Rather than declaring a permit violation, the appropriate approach is for IDEM to inform the Permittee of the appropriate steps to follow in making a confidentiality claim and then to deny the claim if it is insufficient. The recommended revisions following take this approach.

**B.8 Duty to Supplement and Provide Information [326 IAC 2-7-4(b)] [326 IAC 2-7-5(6)(E)]**

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- (c) Upon request, **and within a reasonable time thereafter**, the Permittee shall also furnish to IDEM, OAM copies of records required to be kept by this permit. If the Permittee wishes to assert a claim of confidentiality over any of the furnished records, ~~the Permittee must furnish such records to IDEM, OAM, along with a~~ **IDEM directs the Permittee's attention to the** claim of confidentiality under 326 IAC 17. If requested by IDEM, OAM, or the U.S. EPA, to furnish copies of requested records directly to U. S. EPA, ~~and if the Permittee is making a claim of confidentiality regarding the furnished records~~, then the Permittee must furnish such confidential records directly to the U.S. EPA. ~~along with a claim of confidentiality under~~ **If the Permittee wishes to assert a claim of confidentiality over any of the records furnished to U.S. EPA, IDEM directs the Permittee's attention to the claim of confidentiality provisions at 40 CFR 2, Subpart B.**

### Response to Comment 5:

The OAM has revised the wording in this permit to more clearly cite the permittee's rights and obligations regarding confidentiality. In B(8)(c) the word "must" refers to requirements for a valid claim of confidentiality. Failure to conform with these requirements would disqualify the claim, but would not be the basis for a permit violation. The OAM is not adding any language regarding furnishing records upon request because the current language conforms with the underlying rule. To this date, the IDEM, OAM inspectors have not encountered any problems working with sources to determine the time frame for the source to provide records. B.8(c) is now as follows:

- (c) Upon request, the Permittee shall also furnish to IDEM, OAM, copies of records required to be kept by this permit. If the Permittee wishes to assert a claim of confidentiality over any of the furnished records, the Permittee ~~must include~~ ~~must furnish such records to IDEM, OAM, with a claim of confidentiality in accordance with~~ ~~under 326 IAC 17.~~ If requested by IDEM, OAM, or the U.S. EPA, to furnish copies of requested records directly to U.S. EPA, ~~then the Permittee must furnish such records directly to the U.S. EPA. and if~~ ~~the Permittee is making~~ ~~wishes to assert a claim of confidentiality regarding~~ ~~over any of the furnished records, then the Permittee must furnish such confidential records directly to the U.S. EPA along with~~ ~~must include such a claim of confidentiality under~~ ~~in accordance with~~ 40 CFR 2, Subpart B.

### Comment 6:

Condition B.9 Compliance with Permit Conditions is legally inaccurate, and should be revised as noted. For example, a violation of a state-only permit provision is not a violation of the federal Clean Air Act. State-only provisions are only enforceable at the state level. Therefore, the language of the Condition should be changed to reflect the law accurately.

#### B.9 Compliance with Permit Conditions [326 IAC 2-7-5(6)(A)] [326 IAC 2-7-5(6)(B)]

- (a) The Permittee must comply with all conditions of this permit. Noncompliance with ~~any provisions of this~~ ~~enforceable~~ permit ~~condition, except those specifically designated as not~~ ~~federally enforceable, may~~ constitutes a violation of the Clean Air Act and ~~is~~ ~~may be~~ grounds for:

### Response to Comment 6:

326 IAC 2-7-5(6)(A) requires that each Part 70 permit shall include "Provisions stating the following:

- (A) The permittee must comply with all conditions of the Part 70 permit. Any Part 70 permit noncompliance constitutes a violation of the CAA and is grounds for:
- (i) enforcement action;
  - (ii) Part 70 permit termination, revocation and reissuance, or modification; or
  - (iii) denial of a Part 70 permit renewal application."

However, IDEM is aware that noncompliance with conditions that are not federally enforceable may not constitute a violation of the Clean Air Act. Therefore, IDEM will make the following model change to subsection (a) of Condition B.9.

#### B.9 Compliance with Permit Conditions [326 IAC 2-7-5(6)(A)] [326 IAC 2-7-5(6)(B)]

- (a) The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit, ~~except those specifically designated as not federally enforceable,~~ constitutes a violation of the Clean Air Act and is grounds for:
- (1) Enforcement action;
  - (2) Permit termination, revocation and reissuance, or modification; or

- (3) Denial of a permit renewal application.

**Comment 7:**

As Condition B.10 Certification is currently drafted, it is overly broad and confusing. The first sentence of the Condition makes clear that certifications are required only “where specifically designated” by the Permit. The language in the second sentence that adds “and any other certification required under this permit,” is extraneous, unnecessary, and could lead to confusion in the implementation of the Permit terms and conditions. Therefore, that language should be deleted. Also, Griffin suggests that the Condition reference the applicable requirements, as shown in the following:

**B.10 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(c)]**

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- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted under this permit shall contain certification by a responsible official of truth, accuracy, and completeness. This certification, ~~and any other certification required under this permit,~~ shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, on the attached Certification Form, with each submittal.
- (c) A responsible official is defined at 326 IAC 2-7-1(34).

**Response to Comment 7:**

OAM agrees that the condition should be revised as requested. Some of the language in Condition B.10 did not correspond with the current permit, since there are currently no certifications required that would not need to be certified by the responsible official. Therefore, this language was determined to be unnecessary and will be deleted from the condition. In addition, IDEM determined that an applicable rule cite was not included in the draft permit condition. This rule cite has now been added.

**Comment 8:**

Griffin recommends that subsection (c)(5) of Condition B.11 Annual Compliance Certification be deleted. Subsection (c)(5) is unduly vague. IDEM should specifically enumerate in Section D any “facts” that must be considered for the compliance certification. Assuming IDEM has done this, then the terms of subsection (c)(1) through (c)(4) should be complete and adequate to address IDEM’s intent with (c)(5). To avoid confusion, (c)(5) should be deleted. IDEM has agreed to make such a change with respect to other permits.

**B.11 Annual Compliance Certification [326 IAC 2-7-6(5)]**

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- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source’s compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The certification shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in letter form no later than July 1 of each year to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Management  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

and

United States Environmental Protection Agency, Region V  
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAM, on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
- (1) The identification of each term or condition of this permit that is the basis of the certification;
  - (2) The compliance status;
  - (3) Whether compliance was based on continuous or intermittent data; **and**
  - (4) The methods used for determining compliance of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); ~~and.~~
  - (5) ~~Such other facts, as specified in Section D of this permit, as IDEM, OAM, may require to determine the compliance status of the source.~~

The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

#### Response to Comment 8:

The reference to additional "facts" in draft subsection (5), is needed due to the specificity of each permit to the source. Although, subsections (1) through (4) cover the general information that will always be needed in the annual compliance certification, Section D may indicate that additional information is to be included in the annual compliance certification. Therefore, subsection (5) is necessary to remind the Permittee to review the requirements in the entire permit including Section D to prevent the submission of an incomplete annual compliance certification. The wording of B.11(c)(5) will not be changed as a result of this comment. There has been no change to the condition as a result of this comment.

#### Comment 9:

Griffin is concerned with language in subsection (c) of Condition B.12 Preventive Maintenance Plan that requires Griffin to submit its PMP's upon request, as it is unduly burdensome. Griffin should be given a reasonable amount of time to respond to such a request. Therefore, Griffin recommends that the language of subsection (c) be revised as follows:

B.12 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)]  
[326 IAC 1-6-3]

- 
- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMP) within ninety (90) days after issuance of this permit, including the following information on each facility:
- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;

- (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
- (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

If due to circumstances beyond its control, the PMP cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Management  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

- (b) The Permittee shall implement the ~~Preventive Maintenance Plans~~ PMP as necessary to ensure that failure to implement the ~~Preventive Maintenance Plans~~ PMP does not cause or contribute to a violation of any limitation on emissions or potential to emit.
- (c) PMP's shall be submitted to IDEM, OAM, within a reasonable time upon request and shall be subject to review and approval by IDEM, OAM. IDEM, OAM, may require the Permittee to revise its ~~Preventive Maintenance Plans~~ PMP whenever lack of proper maintenance causes or contributes to any violation.

#### Response to Comment 9:

The source is required to write and maintain PMPs within 90 days of the issuance of the permit, therefore, after that time, the PMP should be readily available upon request. The addition of the phrase "within a reasonable time" is subjective and open to differences of interpretation by the source and IDEM. Therefore, no change is made to the permit.

#### Comment 10:

Griffin supports the express inclusion of the permit shield in this permit, as indicated in subsection (a) of Condition B.14 Permit Shield. However, the permit language needs to implement the permit shield rather than restate the authorizing rule. The language contained in subsections (b)(1) and (b)(2) does not implement the permit shield and appears to unnecessarily "qualify" the permit shield contained in the Permit. Griffin understands that IDEM has been discussing internally appropriate changes to the permit shield language. With that in mind, Griffin proposes the following:

In addition Griffin proposes to add new language to declare the prior permit terms and conditions and the existing regulations that specifically do not apply to Griffin. Griffin will provide such declarations to IDEM under separate cover.

#### B.14 Permit Shield [326 IAC 2-7-15]

- 
- (a) ~~This condition provides a permit shield as addressed in 326 IAC 2-7-15.~~
  - (b) ~~This permit shall be used as the primary document for determining compliance with applicable requirements established by previously issued permits. Compliance with the conditions of this permit shall be deemed in compliance with any applicable requirements as of the date of permit issuance, provided that:~~
    - (1) ~~The applicable requirements are included and specifically identified in this permit;~~~~or~~



- ~~(2) The permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable.~~
- ~~(c) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, including any term or condition from a previously issued construction or operation permit, IDEM, OAM shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.~~
- (a) Pursuant to Section 326 IAC 2-7-5, the Permittee has requested and is hereby granted a permit shield. This permit shield provides that compliance with the conditions of this permit shall be deemed compliance with applicable requirements which were applicable for this source as of the date this permit was issued, provided that either the applicable requirements are specifically identified within this permit or IDEM, OAM has determined that the requirements are not applicable to this source and has specifically identified those non-applicable requirements in this permit.
- This permit shield does not extend to applicable requirements which are promulgated after the date of issuance of this permit unless this permit has been modified to reflect such new requirements.
- (b) IDEM, OAM has determined that the following requirements are not applicable to this source:  
[List]
- The Permittee is protected by the permit shield provision of 326 IAC 2-7-15 from any expectation to comply with these requirements.
- ~~(cd)~~ No This permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application.
- ~~(de)~~ Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
- (1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;
  - (2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;
  - (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and
  - (4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.
- ~~(ef)~~ This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).
- ~~(g) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAM has issued the modifications. [326 IAC 2-7-12(c)(7)]~~



~~(h) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAM has issued the modification. [2-7-12(b)(7)]~~

#### Response to Comment 10:

This condition is almost exactly the wording required by 326 IAC 2-7-15. OAM believes that specific non-applicable requirement determinations should be dealt with in Section D. The Permittee must state which specific requirements it believes do not apply and exactly why the requirements do not apply. The decision on the applicability of each requirement will be made on a case by case basis. On July 28, 1998, the OAM was notified that the U.S. EPA would object to any Title V Operating Permit that superceded all previous construction permits. The U.S. EPA indicated that they believed that the authority for certain applicable requirements might expire if the construction permits that established them expired. The OAM believes that the regulatory process is best served if all affected parties are able to rely on the Title V Operating Permit to identify all applicable requirements and the means for demonstrating compliance with each requirement.

The OAM intends to continue discussions with the U.S. EPA regarding the issues related to past construction permits. However the OAM also believes that the Permit Shield condition B.14 (b) (1) & (2) establishes that the Title V permit shall be used as the primary document for determining compliance with applicable requirements established by previously issued permits. Compliance with the conditions of the permit shall be deemed in compliance with any applicable requirements as of the date of the permit issuance for all the previous permits identified by the source and the OAM during the course of this review.

There has been no change in response to this comment.

#### Comment 11:

Griffin is concerned with Condition B.16 Deviations from Permit Requirements and Conditions. The term "deviation" has never been defined by IDEM and the express terms and requirements in this Condition are beyond IDEM's authority. Further, the proposed definition of this term as set forth in B.16 is confusing and unduly burdensome. This condition imposes a significant burden - i.e., a report within ten (10) days - for an event that may be no more than an ink pen running out on a continuous data recorder. For the event reported to match the speed with which the report is to be made, Griffin recommends the noted revisions as being meaningful and capable of being implemented. Further, this approach complements, and is consistent with, other reporting obligations under the Permit, including the Emergency Provisions. For these reasons, this condition should be revised as recommended as follows:

#### B.16 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]

- (a) Deviations from any permit requirements **emission limitations** (for emergencies see Section B - Emergency Provisions), the probable cause of such deviations, and **any appropriate** response steps or preventive measures taken shall be reported to:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

within ten (10) calendar days from the date of the discovery of the deviation.

- (b) A deviation is an exceedance of a permit **emission** limitation ~~or a failure to comply with a requirement of the permit or a rule~~. It does not include:
- (1) An excursion from compliance monitoring parameters as identified in Section D of this permit ~~unless tied to an applicable rule or limit~~; or
  - (2) An emergency as defined in 326 IAC 2-7-1(12); or

- (3) Failure to implement elements of the ~~Preventive Maintenance Plan~~ **PMP** unless lack of maintenance has caused or contributed to a deviation.
  - (4) Failure to make or record information required by the compliance monitoring provisions of Section D ~~unless such failure exceeds 5% of the required data in any calendar quarter.~~
- ~~A Permittee's failure to take the appropriate response step when an excursion of a compliance monitoring parameter has occurred is a deviation.~~
- (c) Written notification shall be submitted on the attached Emergency/Deviation Occurrence Reporting Form or its substantial equivalent. The notification does not need to be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).
  - (d) Proper notice submittal under 326 IAC 2-7-16 satisfies the requirement of this subsection.

**Response to Comment 11:**

Deviations are sufficiently defined in subsection (b) of this condition. The suggested language in subsection (a) does not accurately reflect the purpose of this provision. Deviations, as intended by this condition, are more broad, thus encompassing all the requirements contained in the permit. IDEM agrees that some deviations do not require reporting within the 10-day period, and that is why there is the five (5) percent exclusion language included in subsection (b)(4). For instance, in the example in which the ink runs out on the continuous data recorder, this type of deviation would most likely not exceed 5% of the required data in any calendar quarter and thus would not be a deviation reportable by this condition. There has been no change to this condition in response to this comment.

**Comment 12:**

As written, Condition B.19 Permit Amendment or Modification suggests that the Permittee may violate its Title V Permit by failing to comply with the permit amendment provisions. Moreover, stating that the Permittee must comply with these provisions is vague and unnecessary, because the majority of the permit amendment and modification requirements apply to IDEM. The noted change clarifies this term by simply giving notice of these requirements. IDEM previously has agreed to such a revision.

**B.19 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]**

- (a) ~~The Permittee must comply with the requirements of~~ **Permit amendments and modifications are governed by the requirements of** 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.
- (b) Any application requesting an amendment or modification of this permit shall be submitted to:  
  
Indiana Department of Environmental Management  
Permits Branch, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015  
  
Any such application should be certified by the "responsible official" as defined by 326 IAC 2-7-1(34) only if a certification is required by the terms of the applicable rule.
- (c) The Permittee may implement the administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

### Response to Comment 12:

The permit condition is directed to the source to specify the responsibilities of the Permittee to apply for permit amendments or modifications when needed, to provide all information required for the necessary level of approval (more information is needed for modifications), and to wait when specified for modifications to be issued before implementing the changes at the source. There has been no change to this condition in response to this comment.

### Comment 13:

As proposed by IDEM, the Condition B.21 Operational Flexibility provision does not accurately state the law. The changes proposed by Griffin are intended to clarify and correct the terms of this Condition. In addition, subsections (c) and (d) of this Condition do not apply to Griffin and should be deleted.

#### B.21 Operational Flexibility [326 IAC 2-7-20]

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- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e), without a prior permit revision, if each of the following conditions is met:
- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
  - ~~(2) Any approval required by 326 IAC 2-1.1 has been obtained;~~
  - ~~(23)~~ (2) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
  - ~~(34)~~ (3) The Permittee notifies the:  
  
Indiana Department of Environmental Management  
Permits Branch, Office of Air Management  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015  
  
and  
  
United States Environmental Protection Agency, Region V  
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590  
  
in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and
  - (5) The Permittee maintains records on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-7-20(b), (c), or (e) and makes such records available, upon reasonable request, for public review.  
  
Such records shall consist of all information required to be submitted to IDEM, OAM, in the notices specified in 326 IAC 2-7-20(b), (c)(1), and (e)(2).
- (b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a) and the following additional conditions:

- (1) The permit shield, described in 326 IAC 2-7-15, shall not apply to any change made under 326 IAC 2-7-20(b).
- (2) For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:
  - (i) A brief description of the change within the source;
  - (ii) The date on which the change will occur;
  - (iii) Any change in emissions; and
  - (iv) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- ~~(c) Emission Trades [326 IAC 2-7-20(c)]~~  
~~The Permittee may trade increases and decreases in emissions in the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).~~
- ~~(d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]~~  
~~The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAM, or U.S. EPA is required.~~
- (ce) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios **are not subject to the terms of 326 IAC 2-7-20**. ~~Therefore, the notification requirements of part (a) of this condition do not apply.~~

#### Response to Comment 13:

The Operational Flexibility provisions do not automatically waive the New Source Review (NSR) requirements in 326 IAC 2 for additional equipment or operational changes. The suggested additional language for B.21(d) is not necessary because "without a prior permit revision" is already included in the meaning of "No prior notification". However, some of the recommended changes have been included in the revised Condition B.21(a)(5) and (b), as follows:

#### B.21 Operational Flexibility [326 IAC 2-7-20]

- (a) (5) The Permittee maintains records on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-7-20(b), (c), or (e) and makes such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAM, in the notices specified in 326 IAC 2-7-20(b)(1), (c)(1), and (e)(2).
- (b) **The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a) and the following additional conditions:**
  - (1) **The permit shield, described in 326 IAC 2-7-15, shall not apply to any change made under 326 IAC 2-7-20(b).**

- (2) For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:
- (1)(i) A brief description of the change within the source;
  - (2)(ii) The date on which the change will occur;
  - (3)(iii) Any change in emissions; and
  - (4)(iv) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

**Comment 14:**

As written, Condition B.22 Construction Permit Requirement suggests that the Permittee may violate its Title V permit when seeking a new construction permit. The proposed change clarifies this term by simply giving notice of these requirements. Also, this Condition appears to apply generally to any modification, construction, or reconstruction. Griffin, therefore, seeks clarification as to when this Condition applies.

**B.22 Construction Permit Requirement [326 IAC 2] [326 IAC 2-7-10.5]**

~~A modification, construction, or reconstruction shall be approved if required by and in accordance with the applicable provisions of 326 IAC 2~~ **is governed by 326 IAC 2 and 326 IAC 2-7-10.5.**

**Response to Comment 14:**

IDEM has determined that Condition B.22 is out-dated since the referenced statute has expired. This language will be removed, and the condition will be revised to reflect the current applicability. The following revision is believed to address the source's concern:

**B.22 Construction Permit Requirement [326 IAC 2] [326 IAC 2-7-10.5]**

~~Except as allowed by Indiana P.L. 130-1996 Section 12, as amended by P.L. 244-1997, A~~  
modification, construction, or reconstruction shall be approved ~~as if~~ required by and in accordance **with the applicable provisions of 326 IAC 2 and 326 IAC 2-7-10.5.**

**Comment 15:**

Condition B.25 Annual Fee Payment should clarify that in the event the Permittee pays the fee without receiving a bill, no adverse consequences are triggered automatically if the Permittee makes a good faith effort to pay the appropriate fee. Further, it is not necessary for IDEM to restate its enforcement authority. IDEM does not do so on other terms; there is no apparent reason to do so here.

**B.25 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)]**

- (a) The Permittee shall pay annual fees to IDEM, OAM, within thirty (30) calendar days of receipt of a billing. If the Permittee does not receive a bill from IDEM, OAM, the applicable fee is due April 1 of each year. **In the event of a failure by IDEM to send a bill, a miscalculation of the fee amount by the Permittee shall not be the basis of an enforcement action. The amount of the final fee owed must be determined in accordance with 325 IAC 2-7-19(e) regardless of whether the Permittee paid with or without the bill.**
- (b) ~~Failure to pay may result in administrative enforcement action or revocation of this permit.~~

- ~~(c)~~—The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-0425 (ask for OAM, Technical Support and Modeling Section), to determine the appropriate permit fee.

**Response to Comment 15:**

This change is not necessary since the applicable rule is cited in the condition. However, the condition has been modified in this permit in response to comment and is now as follows:

**B.25 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)]**

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- (a) The Permittee shall pay annual fees to IDEM, OAM, within thirty (30) calendar days of receipt of a billing. If the Permittee does not receive a bill from IDEM, OAM, the applicable fee is due April 1 of each year. **In the event of a failure by IDEM to send a bill, a miscalculation of the fee amount by the Permittee shall not be the basis of an enforcement action. The amount of the final fee owed must be determined in accordance with 326 IAC 2-7-19(e) regardless of whether the Permittee paid with or without the bill.**
- (b) **Except as provided in 326 IAC 2-7-19(e), failure** Failure to pay may result in administrative enforcement action or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-0425 (ask for OAM, Technical Support and Modeling Section), to determine the appropriate permit fee.

**Comment 16:**

Griffin finds this Condition B.26 Advanced Source Modification Approval confusing, and seeks clarification from IDEM.

**B.26 Advanced Source Modification Approval [326 IAC 2-7-5(16)]**

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The requirements to obtain a source modification approval under 326 IAC 2-7-10.5 or a permit modification under 326 IAC 2-7-12 are satisfied by this permit for the proposed emission units, control equipment or insignificant activities in Sections A.2 and A.3 and such modifications occur only during the term of this permit.

**Response to Comment 16:**

If, during the Title V review process, new source construction is also reviewed, the Advanced Source Modification Approval serves as a construction permit review for the modification. No new construction was covered by this permit, therefore the condition shall be deleted.

**Comment 17:**

As stated in comments to Section A above, Griffin proposes to accept enforceable limitations to remain under the major source threshold for PSD. This Condition C.1 PSD Minor Source Status sets such limits. Section C shall be renumbered accordingly.

**Response to Comment 17:**

The source at no time reported potential to emit greater than 250 tons per year of any criteria pollutant, therefore, IDEM agrees to establish limits below the PSD thresholds for the entire source. See the **Response to Comment 1**.

**Comment 18:**

Griffin is concerned with Condition C.1 Particulate Matter Emission Limitations. Under the existing regulations, as drafted, 326 IAC 6-3-2(c) does not appear to regulate particulate emissions from processes with a throughput less than 100 pounds per hour. As such, this provision should be deleted.

~~C.1 Particulate Matter Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour [326 IAC 6-3-2(c)]~~  
~~Pursuant to 326 IAC 6-3-2(c), the allowable particulate matter emissions rate from any process not already regulated by 326 IAC 6-1 or any New Source Performance Standard, and which has a maximum process weight rate less than 100 pounds per hour shall not exceed 0.551 pounds per hour.~~

**Response to Comment 18:**

326 IAC 6-3-2 is applicable to operations at any process weight rate, unless a process is otherwise regulated by 326 IAC 6-1. There is nothing in this rule which states otherwise. This condition has been renumbered to C.2, otherwise, there has been no change to this condition.

**Comment 19:**

Condition C.4 Incineration is irrelevant to Griffin's operation and could lead to confusion in implementation of the Permit. Griffin does not operate an incinerator at the Newberry plant. Therefore, this condition should be deleted as follows:

~~C.4 Incineration [326 IAC 4-2][326 IAC 9-1-2]~~  
~~The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and 326 IAC 9-1-2. The provisions of 326 IAC 9-1-2 are not federally enforceable.~~

**Response to Comment 19:**

This condition clarifies an applicable requirement for any incinerator, and is applicable to the source under 326 IAC 4-2 and 326 IAC 9-1-2. Therefore, there has been no change to this condition.

**Comment 20:**

Condition C.8 Asbestos Abatement Projects is irrelevant to Griffin's operation and could lead to confusion in implementation of the Permit. Griffin does not engage in asbestos abatement projects, and, therefore, is not subject to this regulation. For that reason, this Condition should be deleted.

~~C.8 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61.140]~~  
~~(a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.~~  
~~(b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:~~  
~~(1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or~~

- ~~(2) If there is a change in the following:~~
- ~~(A) Asbestos removal or demolition start date;~~
  - ~~(B) Removal or demolition contractor; or~~
  - ~~(C) Waste disposal site.~~
- ~~(c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).~~
- ~~(d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).~~

~~All required notifications shall be submitted to:~~

~~Indiana Department of Environmental Management  
Asbestos Section, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015~~

~~The notifications do not require a certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

- ~~(e) Procedures for Asbestos Emission Control~~  
~~The Permittee shall comply with the emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-4 emission control requirements are mandatory for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.~~
- ~~(f) Indiana Accredited Asbestos Inspector~~  
~~The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement that the inspector be accredited is federally enforceable.~~

#### **Response to Comment 20:**

Renovation is defined in 326 IAC 14-10-2 (38) as altering a facility or a component of a facility in any way. All areas where renovation or demolition are going to occur must be inspected by an accredited asbestos inspector. The language in the permit is the same as the Federal language found in 40 CFR 61, Subpart M. Not every renovation must be reported. If the Permittee's renovation will involve stripping, removing or disturbing two hundred sixty (260) linear feet on pipes, one hundred sixty (160) square feet on other facility components; or a total of thirty-five feet (35) cubic feet on all facility components or more of friable asbestos, then the Permittee must notify IDEM using an IDEM notification form at least ten (10) working prior to renovation.

Demolition is defined as removing supporting beams, walls or structures of a facility. 326 IAC 14-10-1(a)(1) states that the Permittee must properly notify IDEM of every demolition project, even if no asbestos is present. There have been no changes resulting from this comment.



**Comment 21:**

Condition C.9 Performance Testing is confusing and does not state the law accurately. Therefore, it should be revised. In addition, this Condition only applies if performance testing is required under Section D. The Conditions should be revised as follows:

**C.9 Performance Testing [326 IAC 3-6]**

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- (a) All ~~performance~~ testing ~~required in Section D of this Permit~~ shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing methods ~~specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures~~ approved by IDEM, OAM.

A test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Management  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

no later than thirty-five (35) days prior to the intended test date. The Permittee shall submit a notice of the actual test date to the above address so that it is received at least two weeks prior to the test date.

- (b) ~~All~~ Any test reports ~~for testing required in Section D of this Permit~~ must be received by IDEM, OAM within forty-five (45) days after the completion of the testing. An extension may be granted by ~~the Commissioner~~ IDEM, OAM, if the source submits to IDEM, OAM, a reasonable written explanation within five (5) days prior to the end of the initial forty-five (45) day period.

The documentation submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

**Response to Comment 21:**

IDEM has added additional language to Condition C.10 to specify the locations of applicable procedures and analysis methods for performance testing.

**C.910 Performance Testing [326 IAC 3-6]**

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- (a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing ~~methods~~ any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAM.

A test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Management  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

no later than thirty-five (35) days prior to the intended test date. The Permittee shall submit a notice of the actual test date to the above address so that it is received at least two weeks prior to the test date.

- (b) All test reports must be received by IDEM, OAM) within forty-five (45) days after the completion of the testing. An extension may be granted by ~~the Commissioner~~ IDEM, OAM, if the source submits to IDEM, OAM, a reasonable written explanation within five (5) days prior to the end of the initial forty-five (45) day period.

The documentation submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

**Comment 22:**

In accordance with 326 IAC 2-7-6(3), this "compliance schedule" provision of Condition C.10 Compliance Schedule should include only subsection (a). Subsections (b) and (c) constitute simple statements of fact relevant only to reflect Griffin's compliance with its permit application requirements. Griffin was required to, and did, submit with its permit application a statement that it will continue to comply with applicable requirements current as of its permit application date and that Griffin would comply with future applicable requirements in a timely manner, as required by law. No more is required by the applicable statutory authority. Therefore, subsections (b) and (c) are unnecessary and confusing and should be deleted. The Condition should be revised as noted.

**C.10 Compliance Schedule [326 IAC 2-7-6(3)]**

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The Permittee: **has submitted a statement regarding compliance of current applicable requirements and with applicable requirements that will become effective during the period of the Permit.**

- ~~(a) Has certified that all facilities at this source are in compliance with all applicable requirements; and~~
- ~~(b) Has submitted a statement that the Permittee will continue to comply with such requirements; and~~
- ~~(c) Will comply with such applicable requirements that become effective during the term of this permit.~~

**Response to Comment 22:**

IDEM does not agree with all of this proposed condition since the condition must clearly state that the Permittee will comply with all applicable requirements. The condition will be changed in this permit as follows:

**C.1011 Compliance Schedule [326 IAC 2-7-6(3)]**

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- (a) With its permit application,** the Permittee:
- ~~(a1)~~ Has certified that all facilities at this source are in compliance with all applicable requirements; and
- ~~(b2)~~ Has submitted a statement that the Permittee will continue to comply with such requirements.
- (eb) The Permittee** will comply with such applicable requirements that become effective during the term of this permit.

**Comment 23:**

In Condition C.11 Compliance Monitoring, the requirement that "compliance...be documented" is unnecessary and duplicative. Such duplication could result in multiple violations occurring from a single act or omission. Accordingly, Griffin recommends the noted revisions.

In addition, Griffin recommends revising the language to clarify that the ninety (90) day time period applies to initiation of newly required monitoring, whether or not it is related to the installation of new equipment. IDEM's newest model language reflects such a change.

**C.11 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]**

~~Compliance with applicable requirements shall be documented as required by this permit. The~~ **If required by Section D,** the Permittee shall be responsible for installing any necessary equipment and initiating any newly required monitoring ~~related to that equipment,~~ no more than ninety (90) days after receipt of this permit **or by a later date specified by an applicable requirement.** If due to circumstances beyond its control, this schedule cannot be met, the Permittee may extend the compliance schedule an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Management  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.

~~The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

**Response to Comment 23:**

IDEM will revise the condition in this permit. The new condition must provide time to do visual observations, but it must not allow the permittee to discontinue operation of existing compliance monitoring equipment for these 90 days.

**C.14~~2~~ Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]**

Compliance with applicable requirements shall be documented as required by this permit. **If required by Section D,** ~~The~~ the Permittee shall be responsible for installing any necessary equipment and initiating any **newly** required monitoring ~~related to that equipment,~~ no more than ninety (90) days after receipt of this permit or by a later date specified by an applicable requirement. **If a previous or existing approval or applicable requirement mandates compliance monitoring, the source will continue or initiate such monitoring.** If due to circumstances beyond its control, this schedule cannot be met, the Permittee may extend the compliance schedule **for newly required monitoring** an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Management  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.

The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

**Comment 24:**

Condition C.12 Maintenance of Monitoring Equipment is confusing and goes beyond the authority granted under the referenced citations. Furthermore, to the extent that regulatory authority exists, the Condition's requirements would be more appropriately addressed elsewhere in the Permit, such as in the required preventative maintenance plans. For these reasons, Griffin recommends that this Condition be deleted.

~~C.12 Maintenance of Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]~~

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- ~~(a) In the event that a breakdown of the monitoring equipment occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem. To the extent practicable, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less frequent than required in Section D of this permit until such time as the monitoring equipment is back in operation. In the case of continuous monitoring, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less than one (1) hour until such time as the continuous monitor is back in operation.~~
- ~~(b) The Permittee shall install, calibrate, quality assure, maintain, and operate all necessary monitors and related equipment. In addition, prompt corrective action shall be initiated whenever indicated.~~

**Response to Comment 24:**

IDEM disagrees. IDEM has the authority to require monitoring which include a requirement for the proper maintenance of monitoring equipment and a back-up plan for monitoring when maintenance is required. Therefore, there is no change to this condition.

**Comment 25:**

As drafted, Condition C.13 Monitoring Method is confusing. Griffin recommends cross-referencing Section D of the Permit to clarify the Condition. IDEM's newest model language reflects such a change.

~~C.134 Monitoring Methods [326 IAC 3]~~

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Any monitoring or testing **required by Section D of this Permit, shall be** performed ~~to meet the applicable requirements of this permit shall be performed~~ according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, or other approved methods as specified in this permit.

**Response to Comment 25:**

IDEM agrees to revise the condition as shown.

**Comment 26:**

Griffin is concerned with the language of subsection (c) of Condition C.15 Emergency Reduction Plans. The terms of the second sentence, which provide that IDEM will supply a plan if the Permittee does not submit and approvable ERP in the required time period, go beyond the authority provided to IDEM under the applicable regulations. Therefore, the second sentence of subsection (c) of this Condition should be deleted. IDEM's newest model language reflects such a change.

~~C.156 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]~~

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Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

- (a) The Permittee shall prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.
- (b) These ERPs shall be submitted for approval to:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

within ninety (90) days after the date of issuance of this permit.

The ERP does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) If the ERP is disapproved by IDEM, OAM, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP. ~~If after this time, the Permittee does not submit an approvable ERP, then IDEM, OAM, shall supply such a plan.~~
- (d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.
- (e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.
- (f) Upon direct notification by IDEM, OAM, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

**Response to Comment 26:**

IDEM agrees to revise the condition as shown.

**Comment 27:**

Condition C.16 Risk Management Plan is unnecessary and could lead to confusion in the implementation of the Permit. No regulated substances are present at the Newberry plant in levels above the threshold quantity. Therefore, this Condition should be deleted. IDEM previously has agreed to delete this Condition when not applicable.

~~G.16 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68.215]~~

~~If a regulated substance, subject to 40 CFR 68, is present at a source in more than a threshold quantity, 40 CFR 68 is an applicable requirement and the Permittee shall:~~

~~(a) Submit:~~

~~(1) A compliance schedule for meeting the requirements of 40 CFR 68 by the date provided in 40 CFR 68.10(a); or~~

~~(2) As a part of the compliance certification submitted under 326 IAC 2-7-6(5), a certification statement that the source is in compliance with all the requirements of 40 CFR 68, including the registration and submission of a Risk Management Plan (RMP); and~~

~~(3) A verification to IDEM, OAM that a RMP or a revised plan was prepared and submitted as required by 40 CFR 68.~~

~~(b) Provide annual certification to IDEM, OAM that the Risk Management Plan is being properly implemented.~~

~~All documents submitted pursuant to this condition shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

**Response to Comment 27:**

IDEM has recently been notified by U.S. EPA that this condition is not required to be in a Title V permit if 40 CFR 68 is currently not applicable to the source. Consequently, the condition has been removed from this permit, and subsequent conditions have been renumbered. However, the source should be aware that removal of the condition at this time may require the source to obtain a permit modification if future changes at the source make 40 CFR 68 applicable.

**Comment 28:**

Griffin is concerned with Condition C.17 Compliance Monitoring Plan. First, the language in this section is duplicative of language in Section D, which spells out clearly the compliance monitoring requirements. Restating those requirements here is duplicative and unnecessary and could result in multiple violations occurring from a single act or omission. Further, the language of this section goes beyond IDEM's authority in the referenced citations. The specified response requirements of a Compliance Response Plan are not reasonably ascertainable. Therefore, Griffin recommends that the Condition be changed as noted.

**C.17 Compliance Monitoring Plan - Failure to Take Response Steps [326 IAC 2-7-5] [326 IAC 2-7-6] [326 IAC 1-6]**

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- (a) The Permittee is required to implement a compliance monitoring plan to ensure that reasonable information is available to evaluate its continuous compliance with applicable requirements. This compliance monitoring plan is comprised of:
  - (1) ~~This condition;~~
  - (2) ~~The Compliance Determination Requirements in Section D of this permit;~~
  - (3) ~~The Compliance Monitoring Requirements in Section D of this permit;~~ **and**
  - (4) The Record Keeping and Reporting Requirements in Section C (~~Monitoring Data Availability, General Record Keeping Requirements, and General Reporting Requirements~~) and in Section D of this permit; **and**.
  - (5) ~~A Compliance Response Plan (GRP) for each compliance monitoring condition of this permit. GRP's shall be submitted to IDEM, OAM upon request and shall be subject to review and approval by IDEM, OAM. The GRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee and maintained on site, and is comprised of:~~
    - (A) ~~Response steps that will be implemented in the event that compliance related information indicates that a response step is needed pursuant to the requirements of Section D of this permit; and~~
    - (B) ~~A time schedule for taking such response steps including a schedule for devising additional response steps for situations that may not have been predicted.~~
- (b) ~~For each compliance monitoring condition of this permit, appropriate response steps shall be taken when indicated by the provisions of that compliance monitoring condition. Failure to perform the actions detailed in the compliance monitoring conditions or failure to take the response steps within the time prescribed in the Compliance Response Plan, shall constitute a violation of the permit unless taking the response steps set forth in the Compliance Response Plan would be unreasonable.~~

- ~~(c) — After investigating the reason for the excursion~~ **Upon investigating a compliance monitoring excursion**, the Permittee is excused from taking further response steps for any of the following reasons:
- (1) The monitoring equipment malfunctioned, giving a false reading. This shall be an excuse from taking further response steps providing that prompt action was taken to correct the monitoring equipment.
  - (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for an administrative amendment to the permit, and such request has not been denied or;
  - (3) An automatic measurement was taken when the process was not operating; or
  - (4) The process has already returned, **or is returning**, to operating within "normal" parameters and no response steps are required.
- ~~(d) — Records shall be kept of all instances in which the compliance related information was not met and of all response steps taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.~~

**Response to Comment 28:**

326 IAC 2-7-16 is applicable during emergencies, and supersedes 326 IAC 1-6 in times of emergency. Other portions of 326 IAC 1-6 are still relevant to Title V sources, including 326 IAC 1-6-3 (Preventive Maintenance Plans), and 326 IAC 1-6-5 (Excessive Malfunctions). There has been no change to permit conditions as a result of this comment.

IDEM has worked with members of the Clean Air Act Advisory Council's Permit Committee, Indiana Manufacturing Association, Indiana Chamber of Commerce and individual applicants regarding the Preventive Maintenance Plan, the Compliance Monitoring Plan and the Compliance Response Plan. The plans are fully supported by rules promulgated by the Air Pollution Control Board. The plans are the mechanism each permittee will use to verify continuous compliance with its permit and the applicable rules and will form the basis for each permittee's Annual Compliance Certification. Each permittee's ability to verify continuous compliance with its air pollution control requirements is a central goal of the Title V and FESOP permit programs.

The regulatory authority for and the essential elements of a compliance monitoring plan were clarified in IDEM's Compliance Monitoring Guidance, in May 1996. IDEM originally placed all the preventive maintenance requirements in the permit section titled "Preventive Maintenance Plan." Under that section the permittee's Preventive Maintenance Plan (PMP) had to set out requirements for the inspection and maintenance of equipment both on a routine basis and in response to monitoring. Routine maintenance was a set schedule of inspections and maintenance of the equipment. The second was inspection and maintenance in response to monitoring that showed that the equipment was not operating in its normal range. This monitoring would indicate that maintenance was required to prevent the exceedance of an emission limit or other permit requirement.

The maintenance plan was to set out the "corrective actions" that the permittee would take in the event an inspection indicated an "out of specification situation", and also set out the time frame for taking the corrective action. In addition, the PMP had to include a schedule for devising additional corrective actions for out of compliance situations that the source had not predicted in the PMP. All these plans, actions and schedules were part of the Preventive Maintenance Plan, with the purpose of maintaining the permittee's equipment so that an exceedance of an emission limit or violation of other permit requirements could be prevented.

After issuing the first draft Title V permits on public notice in July of 1997, IDEM received comments from members of the regulated community regarding many of the draft permit terms, including the PMP requirements. One suggestion was that the corrective action and related schedule requirements be removed from the PMP requirement and placed into some other requirement in the permit. This suggestion was based, in some part, on the desire that a permittee's maintenance staff handle the routine maintenance of the equipment, and a permittee's environmental compliance and engineering staff handle the compliance monitoring and steps taken in reaction to an indication that the facility required maintenance to prevent an environmental problem.

IDEM carefully considered this suggestion and agreed to separate the "corrective actions" and related schedule requirements from the PMP. These requirements were placed into a separate requirement, which IDEM named the Compliance Response Plan (CRP). In response to another comment, IDEM changed the name of the "corrective actions" to "response steps." That is how the present CRP requirements became separated from the PMP requirement, and acquired their distinctive nomenclature.

The Compliance Monitoring Plan is made up of the PMP, the CRP, the compliance monitoring and compliance determination requirements in section D of the permit, and the record keeping and reporting requirements in sections C and D. IDEM decided to list all these requirements under this new name, the Compliance Monitoring Plan (CMP), to distinguish them from the PMP requirements. The section D provisions set out which facilities must comply with the CMP requirement. The authority for the CMP provisions is found at 326 IAC 2-7-5(1), 2-7-5(3), 2-7-5(13), 2-7-6(1), 1-6-3 and 1-6-5. No change has been made to this condition.

**Comment 29:**

Griffin is concerned with Condition C.18 Actions Related to Noncompliance Demonstrated by a Stack Test. This Condition is unnecessary and could lead to confusion in the implementation of this Permit. Under the terms of the Permit, Griffin is not required to conduct stack testing. Therefore, this Condition should be deleted as shown as follows:

~~C.18 — Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]  
[326 IAC 2-7-6]~~

- 
- ~~(a) — When the results of a stack test performed in conformance with Section C — Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate corrective actions. The Permittee shall submit a description of these corrective actions to IDEM, OAM, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize emissions from the affected facility while the corrective actions are being implemented. IDEM, OAM shall notify the Permittee within thirty (30) days, if the corrective actions taken are deficient. The Permittee shall submit a description of additional corrective actions taken to IDEM, OAM within thirty (30) days of receipt of the notice of deficiency. IDEM, OAM reserves the authority to use enforcement activities to resolve noncompliant stack tests.~~
- ~~(b) — A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAM that retesting in one hundred and twenty (120) days is not practicable, IDEM, OAM may extend the retesting deadline. Failure of the second test to demonstrate compliance with the appropriate permit conditions may be grounds for immediate revocation of the permit to operate the affected facility.~~

~~The documents submitted pursuant to this condition do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~



### Response to Comment 29:

Two of the compliance demonstration options included in the wood furniture NESHAP (40 CFR 63 , Subpart JJ) require performance testing. If the Permittee elects to use one of these options, testing must be conducted in accordance with the NESHAP and 326 IAC 3-6. In addition, if the OAM requests, compliance with the limits specified in Conditions D.1.3, D.1.5, D.2.2, D.2.3, and D.3.1 shall be determined by performance tests. OAM has authority under 326 IAC 2-7-5 and 326 IAC 2-7-6(6) to require this condition. No testing is being required of this source at this time; this is specifically stated in the permit in the Testing Requirements conditions in the D sections.

The condition language may be modified for this permit as shown below. The IDEM originally included this permit language to benefit the Permittee, because these provisions inform the Permittee about the notice of deficiency process.

- (a) When the results of a stack test performed in conformance with Section C -Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAM, within thirty (30) days of receipt of the test results. The Permittee also shall take appropriate action to minimize **excess** emissions from the affected facility while the response actions are being implemented. ~~IDEM, OAM shall notify the Permittee within thirty (30) days, if the corrective actions taken are deficient. The Permittee shall submit a description of additional corrective actions taken to IDEM, OAM within thirty (30) days of receipt of the notice of deficiency.~~
- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAM that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAM may extend the retesting deadline.
- (c) IDEM, OAM reserves the authority to take any actions allowed under law to resolve noncompliant stack tests.

### Comment 30:

Griffin is concerned that the language of subsections (a), (b), and (c) of Condition C.20 Monitoring Data Availability go beyond the authority of the referenced citations. In addition, language in subsection (b) and (c), such as the reference to "abnormal conditions," is unduly vague and ambiguous. Furthermore, subsection (c) contains a general statement that appears to add requirements without authority. Accordingly, subsections (a), (b), and (c) should be deleted. In addition, the language of subsection (d) should be revised as noted to avoid confusion and potentially burdensome, duplicative, and unnecessary record keeping obligations. IDEM previously has agreed to such a change.

#### C.20 Monitoring Data Availability [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)]

- (a) ~~With the exception of performance tests conducted in accordance with Section C- Performance Testing, all observations, sampling, maintenance procedures, and record keeping, required as a condition of this permit shall be performed at all times the equipment is operating at normal representative conditions.~~
- (b) ~~As an alternative to the observations, sampling, maintenance procedures, and record keeping of subsection (a) above, when the equipment listed in Section D of this permit is not operating, the Permittee shall either record the fact that the equipment is shut down or perform the observations, sampling, maintenance procedures, and record keeping that would otherwise be required by this permit.~~

- ~~(c) If the equipment is operating but abnormal conditions prevail, additional observations and sampling should be taken with a record made of the nature of the abnormality.~~
- ~~(d) If for reasons beyond its control, the operator fails to make required observations, sampling, maintenance procedures, or record keeping as required by Section D compliance monitoring and record keeping requirements, reasons for this must be recorded.~~
- (eb) At its discretion, IDEM may excuse such failure ~~providing~~ **provided** adequate justification is documented and such failures do not exceed five percent (5%) of the operating time in any quarter.
- (fc) Temporary, unscheduled unavailability of staff qualified to perform the required observations, sampling, maintenance procedures, or record keeping shall be considered a valid reason for failure to perform the requirements stated in (a) above.

**Response to Comment 30:**

This condition applies to all records required in Section D. The purpose of Section C is to state general conditions once, so that they do not have to be restated in every subsection of Section D. Unless a term in Section D states otherwise, the Section C general term applies.

Condition C.19(a) requires that all usual observations, sampling, maintenance procedures and record keeping required as a condition of the permit shall be performed when the equipment is operating at normal representative conditions. For example, a visible emission notation is not required when the corresponding equipment is not in operation.

When equipment is not operating, C.19(b) gives the source the option of either recording the fact that the equipment is shut down for a specific period of time or performing the observations, sampling, maintenance procedures, and record keeping that would otherwise be required by this permit. For example, it is possible that for a process with automated record keeping it might be easier to maintain normal procedures during brief down times; however, this is the source's choice.

C.19(c) requires additional observations and sampling should be taken if the equipment is operating but abnormal conditions prevail, with a record made of the nature of the abnormality. This is believed to be reasonable for the source to document whether abnormal conditions resulted in a deviation from any permit condition.

There has been no change to this condition.

**Comment 31:**

In Condition C.21 General Record Keeping Requirements, the requirement that the facility produce required records "upon request" may be unreasonable and unduly burdensome. Therefore, Griffin recommends that the language be changed, as noted, to provide that records be produced within a reasonable time.

Sections C.21(b) and (c) are not intended to create additional record keeping obligations. Those obligations should be stated completely and clearly in Section D. To avoid confusion and potentially burdensome, duplicative, and unnecessary record keeping obligations, C.21(b) and (c) must be revised.

In addition, subsection (c)(4) should be deleted. This provision imposes an all-encompassing additional requirement to maintain records of all preventive maintenance regardless of whether the substantive permit conditions even require that such records be maintained. To the extent that records of preventive maintenance are required, they are addressed elsewhere in the permit. This provision is without authority and imposes obligations that are both unduly burdensome and unnecessary. Therefore, it should be deleted. At the very least, subsection (c)(4) should be revised in line with the language contained in IDEM's most recent model, which deletes all but the first sentence of subsection (c)(4).

C.21 General Record Keeping Requirements [326 IAC 2-7-5(3)][326 IAC 2-7-6]

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- (a) Records of all required monitoring data and support information shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be kept at the source location for a minimum of three (3) years ~~and available upon the request of an IDEM, OAM representative~~. The records may be stored elsewhere for the remaining two (2) years ~~as long as they are available upon request~~. If the Commissioner makes a ~~written~~ request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- (b) Records of required monitoring information shall include, where ~~applicable~~ **specified in Section D:**
  - (1) The date, place, and time of sampling or measurements;
  - (2) The dates analyses were performed;
  - (3) The company or entity performing the analyses;
  - (4) The analytic techniques or methods used;
  - (5) The results of such analyses; and
  - (6) The operating conditions existing at the time of sampling or measurement.
- (c) Support information shall include, where ~~applicable~~ **specified in Section D:**
  - (1) Copies of all reports required by this permit;
  - (2) All original strip chart recordings for continuous monitoring instrumentation;
  - (3) All calibration and maintenance records;
  - ~~(4) Records of preventive maintenance shall be sufficient to demonstrate that improper maintenance did not cause or contribute to a violation of any limitation on emissions or potential to emit. To be relied upon subsequent to any such violation, these records may include, but are not limited to: work orders, parts inventories, and operator's standard operating procedures. Records of response steps taken shall indicate whether the response steps were performed in accordance with the Compliance Response Plan required by Section G- Compliance Monitoring Plan - Failure to take Response Steps, of this permit, and whether a deviation from a permit condition was reported. All records shall briefly describe what maintenance and response steps were taken and indicate who performed the tasks.~~
- (d) All record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

### Response to Comment 31:

The OAM believes that citing "upon request" as stated in the rule is the preferable language, specifically during the first three years. Generally, sources and the OAM can come to an agreement on the amount of time needed to produce records, especially if the request requires a substantial amount of information. If the source prefers, C.19(a) can be modified as shown below.

IDEM has modified the first sentence of C.19 (c)(4) to be consistent with Condition B.12. The rest of (c)(4) has now been deleted. It described records that would be potentially useful for the source to use under Section B.13, Emergency Provisions. Utilizing the emergency provisions is a permittee's prerogative. The permit need not require that the permittee be qualified to satisfy those provisions. The adequacy of the evidence that a permittee provides under the emergency provisions can be evaluated at that time. If a permittee cannot demonstrate that an event qualifies as an emergency then the affirmative defense cannot be claimed.

IDEM OAM is currently looking into the federal enforceability of (c)(4). C.19(c) is now as follows:

#### C.21 General Record Keeping Requirements [326 IAC 2-7-5(3)][326 IAC 2-7-6]

- (a) Records of all required monitoring data and support information shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be kept at the source location for a minimum of three (3) years and available upon the request of an IDEM, OAM, representative. The records may be stored elsewhere for the remaining two (2) years as long as they are available ~~upon request~~ **within a reasonable time**. If the Commissioner (or local agency) makes a written request for records to the Permittee, the Permittee shall furnish the records to the Commissioner or local agency within a reasonable time.
- (b) Records of required monitoring information shall include, where applicable:
  - (1) The date, place, and time of sampling or measurements;
  - (2) The dates analyses were performed;
  - (3) The company or entity performing the analyses;
  - (4) The analytic techniques or methods used;
  - (5) The results of such analyses; and
  - (6) The operating conditions existing at the time of sampling or measurement.
- (c) Support information shall include, where applicable:
  - (1) Copies of all reports required by this permit;
  - (2) All original strip chart recordings for continuous monitoring instrumentation;
  - (3) All calibration and maintenance records;

- (4) Records of preventive maintenance shall be sufficient to demonstrate that ~~improper maintenance~~ **failure to implement the Preventive Maintenance Plan** did not cause or contribute to a violation of any limitation on emissions or potential to emit. ~~To be relied upon subsequent to any such violation, these records may include, but are not limited to: work orders, parts inventories, and operator's standard operating procedures. Records of response steps taken shall indicate whether the response steps were performed in accordance with the Compliance Response Plan required by Section C - Compliance Monitoring Plan - Failure to take Response Steps, of this permit, and whether a deviation from a permit condition was reported. All records shall briefly describe what maintenance and response steps were taken and indicate who performed the tasks.~~

**Comment 32:**

Semi-annual compliance monitoring reports should be sufficient. Therefore, subsections (a) and (d) of Condition C.22 General Reporting Requirements should be revised as noted. In addition, the requirement at subsection (f) is unnecessary, confusing, and potentially burdensome. Therefore, this subsection should be deleted.

**C.22 General Reporting Requirements [326 IAC 2-7-5(3)(C)]**~~[326 IAC 2-1.1-11]~~

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- (a) To affirm that the source has met all the compliance monitoring requirements stated in this permit the source shall submit a ~~Quarterly~~ **Semi-annual** Compliance Monitoring Report. Any deviation from the requirements and the date(s) of each deviation must be reported. The Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:
- Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Management  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAM on or before the date it is due.
- (d) Unless otherwise specified in this permit, any **semi-annual** report shall be submitted within thirty (30) days of the end of the reporting period. The report does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) All instances of deviations as described in Section B- Deviations from Permit Requirements Conditions must be clearly identified in such reports. The Emergency/Deviation Occurrence Report does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (f) ~~Any corrective actions or response steps taken as a result of each deviation must be clearly identified in such reports.~~
- ~~(g)~~ The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period.

**Response to Comment 32:**

Reports must be submitted at least every six months under 326 IAC 2-7-5(3)(C)(i). OAM feels that a period of time longer than every quarter will usually not provide sufficient reporting of continuous compliance. IDEM has authority to require quarterly reports. This is stated in 326 2-1.1-11, which became effective December 25, 1998. This rule cite has been added to the condition, as shown below.

C.22 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

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**Comment 33:**

Like Conditions A.1 through A.3, the information contained in the facility description boxes of D.1 through D.3 provide descriptive information concerning the emission units, and do not constitute enforceable conditions. That should be reflected in the facility description language, as shown in the attached red-lined version of the permit. IDEM's most recent model language reflects this approach.

**Response to Comment 33:**

Facility descriptions are not federally enforceable, and a Facility Description box is not a permit condition and thus is also not federally enforceable. In order to avoid confusion on this issue, additional language has been added to each Section D Facility Description box to further clarify that facility descriptions are not federally enforceable: (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

**Comment 34:**

Griffin is concerned with the inclusion of capacity language in Condition D.1.1 Sulfur Dioxide, which merely is descriptive information, in conditions identifying emission limitations. It is unnecessary and confusing. Therefore, Griffin proposes to delete such descriptive language and identify the emission units only by their appropriate identification numbers. In addition, this Condition inaccurately states the emission limit for boiler 02. References to boiler 02 in this Condition should be deleted, because the SO<sub>2</sub> emissions for boiler 02 are covered in Condition D.1.2.

Also, the Condition contains a pound per MMBtu heat input emission limit for dryer 04, but does not clarify that such a limit equates to .5% sulfur content of fuel. For that reason, the compliance monitoring provisions provided elsewhere in the permit are confusing. Therefore, this Condition should be revised as noted.

**D.1.1 Sulfur Dioxide (SO<sub>2</sub>) [326 IAC 7-1.1-1]**

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Pursuant to 326 IAC 7-1.1 (SO<sub>2</sub> Emissions Limitations) the SO<sub>2</sub> emissions when combusting coal from ~~the 50 MMBtu/hr boiler 01 and the 50 MMBtu/hr boiler 02~~ shall not exceed six (6.0) pounds per MMBtu heat input. The SO<sub>2</sub> emissions when combusting No. 2 fuel oil from ~~the 20 MMBtu/hr dryer 04~~ shall not exceed five-tenths (0.5) pounds per MMBtu heat input **or 0.5% sulfur content**.

**Response to Comment 34:**

IDEM agrees that the descriptions are adequate to identify the boilers, since the descriptions including the capacities are listed in the description box. The condition should not contain a 0.5 % sulfur content limit because the applicable limit is the lb per MM Btu limit. The condition will be revised as follows:

**D.1.1 Sulfur Dioxide (SO<sub>2</sub>) [326 IAC 7-1.1-1]**

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Pursuant to 326 IAC 7-1.1 (SO<sub>2</sub> Emissions Limitations) the SO<sub>2</sub> emissions when combusting coal from ~~the 50 MMBtu/hr boiler 01 and the 50 MMBtu/hr boiler 02~~ shall not exceed six (6.0) pounds per MMBtu heat input. The SO<sub>2</sub> emissions when combusting No. 2 fuel oil from ~~the 20 MMBtu/hr dryer 04~~ shall not exceed five-tenths (0.5) pounds per MMBtu heat input.

**Comment 35:**

Griffin is concerned with the inclusion of capacity language in Condition D.1.2 Sulfur Dioxide, which merely is descriptive information, in conditions identifying emission limitations. It is unnecessary and confusing. Therefore, Griffin proposes to delete such descriptive language and identify the emission units only by their appropriate identification numbers. In addition, Griffin proposed to revise the language of this Condition as shown in the attached red-lined version of the Permit to clarify the applicable limit.

**D.1.2 Sulfur Dioxide (SO<sub>2</sub>) Limitations [326 IAC 2-2][40 CFR 52.21]**

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Pursuant to OP 28-12-93-0051:

- (a) The sulfur dioxide (SO<sub>2</sub>) emissions from the ~~50-MMBtu/hr~~ boiler 02 shall be limited to 20.5 tons per month ~~at which equates to~~ 2.4 pounds of SO<sub>2</sub> per million Btu of heat input.
- (b) Dryer 04 shall be limited to 1,083,333 gallons of No.2 distillate fuel oil per 12 month period, rolled on a monthly basis.

These limitations shall render the PSD rules under 326 IAC 2-2 and 40 CFR 52.21 not applicable.

**Response to Comment 35:**

By the request of Griffin, the source is requesting a 250 ton per year limit on sulfur dioxide emissions, therefore, the individual limits for the boilers and the dryer shall be deleted, and the total emissions from the source combustions processes shall be included as follows:

**D.1.2 PSD Minor Source Status [326 IAC 2-2] [40 CFR 52.21]**

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The total source potential to emit for SO<sub>2</sub> is limited 250 tons per year. Therefore, the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration) and 40 CFR 52.21 will not apply.

**Comment 36:**

Griffin is concerned with the inclusion of capacity language in Condition D.1.3 Particulate Matter, which merely is descriptive information, in conditions identifying emission limitations. It is unnecessary and confusing. Therefore, Griffin proposes to delete such descriptive language and identify the emission units only by their appropriate identification numbers.

Also, Griffin seeks clarification from IDEM that the 0.8 pounds per million Btu limit contained in this Condition indeed is the applicable limit for boiler 01, which was constructed in 1981.

**D.1.3 Particulate Matter (PM) [326 IAC 6-2-3]**

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Pursuant to 326 IAC 6-2-3 (Particulate Matter Emission Limitations for Sources of Indirect Heating), the PM emissions from the ~~50-MMBtu/hr~~ boiler 01 shall be limited to 0.80 pounds per million British thermal unit. This limit was used because the calculated limitation was greater than 0.80 as established by the following equation:

$$Pt = \frac{C \times a \times h}{76.5 \times Q^{0.75} \times N^{0.25}}$$

- where
- Pt = pounds of particulate matter emitted per million Btu (lb/mmBtu) heat input;
  - C = maximum ground level concentration with respect to distance from the point source at the "critical" wind speed for level terrain. This shall equal 50 micrograms per cubic meter (µg/m<sup>3</sup>) for a period not to exceed a sixty (60) minute time period;
  - Q = total source maximum operating capacity rating in million Btu per hour (mmBtu/hr) heat input;



N = number of stacks in fuel burning operation;  
a = plume rise factor which is used to make allowance for less than theoretical plume rise. The value 0.67 shall be used for Q less than or equal to 1,000 mmBtu/hr heat input. The value 0.8 shall be used for Q greater than 1,000 mmBtu/hr heat input; and  
h = stack height in feet. If a number of stacks of different heights exist, the average stack height to represent "N" stacks shall be calculated by weighing each stack height with its particulate matter emission rate as follows.

### Response to Comment 36:

The emission limitation for boiler 01 is calculated as follows:

For Boiler 01:

$$\begin{aligned} C &= 50 & Q &= 50 \\ a &= 0.67 & N &= 1 \\ h &= 42.5 \\ Pt &= \frac{C \times a \times h}{76.5 \times Q^{0.75} \times N^{0.25}} = (50 \times 0.67 \times 42.5) / (76.5 \times 50^{0.75} \times 1^{0.25}) = 0.989 \end{aligned}$$

Based on a construction date of 1981, the limit does default to 0.6 lb PM per MM Btu. Condition D.1.3 shall be changed as follows:

#### D.1.3 Particulate Matter (PM) [326 IAC 6-2-3]

Pursuant to 326 IAC 6-2-3 (Particulate Matter Emission Limitations for Sources of Indirect Heating), the PM emissions from the 50 MMBtu/hr boiler 01 shall be limited to 0.80 **0.60** pounds per million British thermal unit. ~~This limit was used because the calculated limitation was greater than 0.80 as established by the following equation:~~

$$Pt = \frac{C \times a \times h}{76.5 \times Q^{0.75} \times N^{0.25}}$$

~~where Pt = pounds of particulate matter emitted per million Btu (lb/MMBtu) heat input;  
C = maximum ground level concentration with respect to distance from the point source at the "critical" wind speed for level terrain. This shall equal 50 micrograms per cubic meter (µg/m³) for a period not to exceed a sixty (60) minute time period;  
Q = total source maximum operating capacity rating in million Btu per hour (MMBtu/hr) heat input;  
N = number of stacks in fuel burning operation;  
a = plume rise factor which is used to make allowance for less than theoretical plume rise. The value 0.67 shall be used for Q less than or equal to 1,000 MMBtu/hr heat input. The value 0.8 shall be used for Q greater than 1,000 MMBtu/hr heat input; and  
h = stack height in feet. If a number of stacks of different heights exist, the average stack height to represent "N" stacks shall be calculated by weighing each stack height with its particulate matter emission rate as follows.~~



**Comment 37:**

In Condition D.1.4 Particulate Matter, Griffin is concerned with inclusion of capacity language, which merely is descriptive information, in conditions identifying emission limitations. It is unnecessary and confusing. Therefore, Griffin proposes to delete such descriptive language and identify the emission units only by their appropriate identification numbers.

Also, the allowable PM emission rate is to be calculated using the equation  $P_t = 1.09/Q^{0.26}$ , where  $P_t$  equals the allowable PM emission rate in pounds per million Btu heat input and  $Q$  is the total source maximum operating capacity rating in million Btu per hour heat input. The Condition, as written, appears to have set maximum values for the variable  $Q$  and the allowable PM emission rate. Therefore, Griffin recommends the noted revisions.

**D.1.4 Particulate Matter (PM) [326 IAC 6-2-4]**

Pursuant to 326 IAC 6-2-4 (Particulate Matter Emission Limitations for Sources of Indirect Heating), the PM emissions from the ~~50 MMBtu/hr~~ boiler 02 and the ~~33.746 MMBtu/hr~~ boiler 03 **each** shall be limited to 0.305 lb/MMBtu. These limits were established by the following equation **not exceed the pound per million Btu emission rate established in the following formula:**

$$P_t = \frac{1.09}{Q^{0.26}}$$

where  $P_t$  = pounds of particulate matter emitted per million Btu (lb/MMBtu) heat input;  
and  
 $Q$  = total source maximum operating capacity rating in million Btu per hour (MMBtu/hr) heat input.

**Response to Comment 37:**

IDEM agrees to remove the descriptive information from the boilers, however, the limit shall remain listed. The condition shall be revised as follows:

**D.1.4 Particulate Matter (PM) [326 IAC 6-2-4]**

Pursuant to 326 IAC 6-2-4 (Particulate Matter Emission Limitations for Sources of Indirect Heating), the PM emissions from the ~~50 MMBtu/hr~~ boiler 02 and the ~~33.746 MMBtu/hr~~ boiler 03 **each** shall be limited to 0.305 lb/MMBtu. These limits were established by the following equation:

$$P_t = \frac{1.09}{Q^{0.26}}$$

where  $P_t$  = pounds of particulate matter emitted per million Btu (lb/MMBtu) heat input;  
and  
 $Q$  = total source maximum operating capacity rating in million Btu per hour (MMBtu/hr) heat input.

**Comment 38:**

Griffin is concerned with Condition D.1.5 Particulate Matter. The allowable PM emission rate is to be calculated using the equation  $E = 4.1(P)^{0.67}$ , where  $E$  equals the allowable PM emission rate in pounds per hour and  $P$  equals the process weight rate in tons per hour. The Condition, as written, appears to have set maximum values for the variable  $P$  and the allowable PM emission rate. Therefore, Griffin recommends the noted revisions.

**D.1.5 Particulate Matter (PM) [326 IAC 6-3-2(c)]**

~~Pursuant to CP 055-4174-00008, issued on April 3, 1995 326 IAC 6-3-2(c), the PM from dryer 04 shall not exceed 37.9 pounds per hour when operating at a process weight rate of 55,284 pounds per hour the pound per hour emission rate established in the following formula.~~

Interpolation of the data for the process weight rate from one hundred (100) pounds per hour up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 4.10 P^{0.67}$$

where E = rate of emission in pounds per hour; and  
P = process weight rate in tons per hour

**Response to Comment 38:**

The specified emission limit is based the rule cited and on the maximum process weight rate submitted in the application, and, therefore, will remain as part of the condition, the condition shall be revised as follows:

**D.1.5 Particulate Matter (PM) [326 IAC 6-3-2(c)]**

~~Pursuant to CP 055-4174-00008, issued on April 3, 1995 326 IAC 6-3-2(c), the PM from dryer 04 shall not exceed 37.9 pounds per hour when operating at a process weight rate of 55,284 pounds per hour.~~

Interpolation of the data for the process weight rate from one hundred (100) pounds per hour up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 4.10 P^{0.67}$$

where E = rate of emission in pounds per hour; and  
P = process weight rate in tons per hour

**Comment 39:**

Griffin is concerned that the term of Condition D.1.7 Testing Requirements go beyond IDEM's authority. Accordingly, Griffin recommends the noted revision.

**D.1.7 Testing Requirements [326 IAC 2-7-6(1),(6)]**

~~The Permittee is not required to test this facility by this permit. However, IDEM may require compliance testing at any specific time when necessary to determine if the facility is in compliance. If testing is required by IDEM, compliance with the SO<sub>2</sub> and PM limits specified in Conditions D.1.1, D.1.2, D.1.3, D.1.4, and D.1.5 shall be determined by performance tests conducted in accordance with Section C - Performance Testing.~~

**Response to Comment 39:**

IDEM has ample legal authority to specify test methods. 326 IAC 2-7-5(3)A dictates that the permit contain all emissions monitoring and testing methods within the applicable requirements. No testing is being required of this source at this time; this is specifically stated in the condition. No changes were made as a result of this comment.

**Comment 40:**

Griffin is concerned with Condition D.1.8 Sulfur Dioxide Emissions and Sulfur Content. As drafted, the Condition appears to set forth a limit of 0.5% sulfur content by weight, which is not set forth as an emission limitation or standard (see comment to Condition D.1.1). Furthermore, the 0.5% sulfur content approximates the sulfur content that equates to the pound per MM Btu emission limit for dryer 04 contained in D.1.1. As a result, it presents a conflict that could lead to confusion in implementation of this Permit. For that reason, Griffin recommends that the language be revised.

Griffin does not object to the 0.5% sulfur content provided in Condition D.1.8. Indeed, Griffin believes that rounding to 0.5% makes it more realistic for vendors to certify sulfur content. However, if a 0.5% sulfur content becomes the measure for compliance, the Permit must make clear that meeting such sulfur content is adequate to meet the pound per MM Btu emission limit provided in D.1.1 of the Permit.

#### D.1.8 Sulfur Dioxide Emissions and Sulfur Content

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Compliance when using fuel oil No. 2 in dryer 04 shall be determined utilizing one of the following options.

- (a) ~~Pursuant to 326 IAC 3-7-4, the Permittee shall demonstrate that the fuel oil sulfur content does not exceed five tenths percent (0.5%) by weight by:~~ **Compliance with the sulfur content limit contained in Condition D.1.1 may be determined by:**
- (1) Providing vendor analysis of fuel delivered, if accompanied by a certification; **or**
  - (2) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40 CFR 60, Appendix A, Method 19.
    - (A) Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted; and
    - (B) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling; **or**
- (b) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the 20 million British thermal units per hour (mmBtu/hr) dryer 04, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6.

~~A determination of noncompliance pursuant to either of the methods specified in (a) or (b) above shall not be refuted by evidence of compliance pursuant to the other method.~~

#### Response to Comment 40:

The applicable limit is the lb per MM Btu limit, however, IDEM has determined that for the purpose of determining compliance, a sulfur content of 0.5% by weight or less in distillate fuel is adequate. It will be necessary for the source to know the sulfur content of the fuel in order to know if they are in compliance, and the determination of noncompliance remains the same. Therefore, the condition has been revised as follows:

#### D.1.8 Sulfur Dioxide Emissions and Sulfur Content **[326 IAC 7-1.1-2]**

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Compliance when using fuel oil No. 2 in dryer 04 shall be determined utilizing one of the following options.

- (a) **Pursuant to 326 IAC 7-1.1-2 (Sulfur Dioxide Limitations), sulfur dioxide emissions from the combustion of distillate #2 fuel oil shall be limited to 0.5 pounds per million British thermal units of heat input. For the purpose of determining compliance, this limitation shall be considered equivalent to a sulfur content of five tenths of a percent (0.5 %) by weight or less in the distillate fuel oil. Compliance with the limit contained in Condition D.1.1 may be determined by:**
- (1) Providing vendor analysis of fuel delivered, if accompanied by a certification; **or**
  - (2) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40 CFR 60, Appendix A, Method 19.
    - (A) Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted; and
    - (B) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling; **or**

- (b) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the 20 million British thermal units per hour (mmBtu/hr) dryer 04, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6.

A determination of noncompliance pursuant to either of the methods specified in (a) or (b) above shall not be refuted by evidence of compliance pursuant to the other method.

**Comment 41:**

Griffin is concerned with Condition D.1.9 Sulfur Dioxide Emissions and Sulfur Content. As drafted, the Condition appears to set forth duplicate emission limitations to those provided in Condition D.1.1. Such duplication could result in multiple violations for a single act or omission. Therefore, the Condition should be revised as noted.

**D.1.9 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 2-7-5(3)(A)] [326 IAC 2-7-6] [326 IAC 7-1.1] [326 IAC 7-2-1]**

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~~Pursuant to 326 IAC 7-2, The Permittee shall demonstrate compliance of boiler 01 with Condition D.1.1 and boiler 02 with Condition D.1.2 that the sulfur dioxide emissions do not exceed six (6.0) pounds per MMBtu. Compliance shall be determined~~ utilizing one of the following options:

- (a) Providing vendor analysis of coal delivered, if accompanied by a certification from the fuel supplier, as described under 40 CFR 60.48c(f)(3). The certification shall include:
  - (1) The name of the coal supplier; and
  - (2) The location of the coal when the sample was collected for analysis to determine the properties of the coal, specifically including whether the coal was sampled as delivered to the affected facility or whether the coal was collected from coal in storage at the mine, at a coal preparation plant, at a coal supplier's facility, or at another location. The certification shall include the name of the coal mine (and coal seam), coal storage facility, or coal preparation plant (where the sample was collected); and
  - (3) The results of the analysis of the coal from which the shipment came (or of the shipment itself) including the sulfur content, moisture content, ash content, and heat content; and
  - (4) The methods used to determine the properties of the coal; or
- (b) Sampling and analyzing the coal by using one of the following procedures:
  - (1) Minimum Coal Sampling Requirements and Analysis Methods:
    - (A) The coal sample acquisition point shall be at a location where representative samples of the total coal flow to be combusted by the facility or facilities may be obtained. A single as-bunkered or as-burned sampling station may be used to represent the coal to be combusted by multiple facilities using the same stockpile feed system;
    - (B) Coal shall be sampled at least one (1) time per day;
    - (C) Minimum sample size shall be five hundred (500) grams;
    - (D) Samples shall be composited and analyzed at the end of each calendar quarter;
    - (E) Preparation of the coal sample, heat content analysis, and sulfur content analysis shall be determined pursuant to 326 IAC 3-7-2(c), (d), (e); or

- (2) Sample and analyze the coal pursuant to 326 IAC 3-7-3; or
- (c) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the boiler, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6, which is conducted with such frequency as to generate the amount of information required by (a) or (b) above. [326 IAC 7-2-1(b)]

~~A determination of noncompliance pursuant to any of the methods specified in (a), (b), or (c) above shall not be refuted by evidence of compliance pursuant to the other method.~~

#### Response to Comment 41:

IDEM believes that the determination of noncompliance should not be deleted. The condition shall be revised as follows:

D.1.9 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 2-7-5(3)(A)] [326 IAC 2-7-6] **[326 IAC 7-1.1]  
[326 IAC 7-2-1]**

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~~Pursuant to 326 IAC 7-2,~~ The Permittee shall demonstrate **compliance of boiler 01 with Condition D.1.1 and boiler 02 with Condition D.1.2** ~~that the sulfur dioxide emissions do not exceed six (6.0) pounds per MMBtu. Compliance shall be determined~~ utilizing one of the following options:

- (a) Providing vendor analysis of coal delivered, if accompanied by a certification from the fuel supplier, as described under 40 CFR 60.48c(f)(3). The certification shall include:
  - (1) The name of the coal supplier; and
  - (2) The location of the coal when the sample was collected for analysis to determine the properties of the coal, specifically including whether the coal was sampled as delivered to the affected facility or whether the coal was collected from coal in storage at the mine, at a coal preparation plant, at a coal supplier's facility, or at another location. The certification shall include the name of the coal mine (and coal seam), coal storage facility, or coal preparation plant (where the sample was collected); and
  - (3) The results of the analysis of the coal from which the shipment came (or of the shipment itself) including the sulfur content, moisture content, ash content, and heat content; and
  - (4) The methods used to determine the properties of the coal; or
- (b) Sampling and analyzing the coal by using one of the following procedures:
  - (1) Minimum Coal Sampling Requirements and Analysis Methods:
    - (A) The coal sample acquisition point shall be at a location where representative samples of the total coal flow to be combusted by the facility or facilities may be obtained. A single as-bunkered or as-burned sampling station may be used to represent the coal to be combusted by multiple facilities using the same stockpile feed system;
    - (B) Coal shall be sampled at least one (1) time per day;
    - (C) Minimum sample size shall be five hundred (500) grams;
    - (D) Samples shall be composited and analyzed at the end of each calendar quarter;
    - (E) Preparation of the coal sample, heat content analysis, and sulfur content analysis shall be determined pursuant to 326 IAC 3-7-2(c), (d), (e); or

- (2) Sample and analyze the coal pursuant to 326 IAC 3-7-3; or
- (c) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the boiler, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6, which is conducted with such frequency as to generate the amount of information required by (a) or (b) above. [326 IAC 7-2-1(b)]

A determination of noncompliance pursuant to any of the methods specified in (a), (b), or (c) above shall not be refuted by evidence of compliance pursuant to the other method.

**Comment 42:**

Condition D.1.10 Particulate Matter is unnecessary and duplicative of Condition C.6. Such duplication could result in multiple violation occurring from a single act or omission. Therefore, Griffin proposes that the Condition be deleted.

**~~D.1.10 Particulate Matter (PM)~~**

~~The cyclone centrifugal separators associated with boilers 01, 02, and dryer 04, the baghouse associated with boiler 01, the dry limestone injection system associated with boiler 01, and the wet scrubber for PM control associated with dryer 04 shall be in operation at all times when boilers, 01, 02, and dryer 04 are in operation and exhausting to the outside atmosphere.~~

**Response to Comment 42:**

This condition is specifically required by 326 IAC 2-7-1(21)(G)(xxix), and the rule cite has been added as shown. IDEM realizes that Conditions D.1.10 is somewhat redundant with Condition C.7. However, C.7 is a general condition for all control equipment used to comply with an applicable requirement. Condition D.1.10 is included to show that the use of the cyclone centrifugal separators, the baghouse, the dry limestone injection system, and wet scrubber is specifically required by this permit. Pursuant to 326 IAC 2-7-5(1)(E), Condition B.15 (Multiple Exceedances) assures the source that they are protected from multiple violations for a single act or omission. There has been no change to this condition.

**Comment 43:**

Condition D.1.11 Visible Emission Notations is unduly burdensome and unnecessary. The requirement for daily visible emission notations of the boilers' and dryers' stack exhaust, in light of other compliance monitoring for those emitting units set forth in this Permit, goes beyond the monitoring necessary to provide IDEM with reasonable assurance of compliance. Griffin proposes, therefore, to conduct weekly visible emissions monitoring.

In addition, Griffin proposes that the reference to "Compliance Response Plan" be replaced by "Preventive Maintenance Plan."

**D.1.11 Visible Emissions Notations**

- (a) ~~Daily~~ **Weekly** visible emission notations of the boilers and dryers stack exhaust shall be performed during normal daylight operations when burning coal or No. 2 fuel oil and when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.

- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) The ~~Compliance Response Plan~~ **PMP** for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is observed.

**Response to Comment 43:**

The visible emissions monitoring for PM is necessary to assure continuous compliance with the limits of the permit, and see Response to Comment 28 concerning the substitution of PMP for the Compliance Response Plan. There has been no change to this condition.

**Comment 44:**

Griffin is concerned with Condition D.1.12 Parametric Monitoring. Griffin proposes that Compliance Response Plan" be replaced by "Preventive Maintenance Plan." Furthermore, Griffin proposes to change the pressure drop range to one that is more appropriate for its operation. Griffin also proposes to revise the Condition as noted to allow for either calibration or replacement of the pressure gauge. Finally, Griffin proposes that subsection (c) be deleted. It contains record keeping provisions that duplicate record keeping provisions contained in Condition D.1.15.

**D.1.12 Parametric Monitoring**

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- (a) The Permittee shall record the total static pressure drop across the baghouse used in conjunction with the boiler 01, at least once weekly when the boiler 01 is in operation ~~when~~ **and** venting to the atmosphere. Unless operated under conditions for which the ~~Compliance Response Plan~~ **PMP** specifies otherwise, the pressure drop across the baghouse shall be maintained within the range of ~~4.0 and 6.0~~ **2.0 and 8.0** inches of water or a range established during the latest stack test. The ~~Compliance Response Plan~~ **PMP** for this unit shall contain troubleshooting contingency and response steps for when the pressure reading is outside of the above mentioned range for any one reading.
- (b) The instrument used for determining the pressure shall comply with Section C - Pressure Gauge Specifications, of this permit, shall be subject to approval by IDEM, OAM, and shall be calibrated **or replaced** at least once every six (6) months.
- ~~(c) The coal delivery system which supplies fuel to the boiler 01 is electrically interlocked with a limestone delivery system. When coal is fed into the boiler (on a demand-feed basis), the limestone delivery system is automatically activated to feed a a preselected ratio. A daily log of the lime/coal ratio shall be maintained. The electrical interlock of this system is set so the delivery of coal cannot occur without delivery of limestone. The Permittee shall perform monthly trip checks of the switches monitoring the coal delivery/limestone delivery interlock. Unless operated under conditions for which the Preventive Maintenance Plan specifies otherwise, the Preventive Maintenance Plan for this unit shall contain troubleshooting contingency and corrective actions for when the interlock is not operating correctly.~~



#### Response to Comment 44:

The Compliance Response Plan shall not be replaced by the PMP (see Response to Comment 28), however, the pressure drop range shall be revised as requested. It is acceptable that the pressure gauge be replaced in lieu of calibration. The reference to the daily log of the lime/coal ratio covered in Condition D.1.15 shall be removed. The condition shall be revised as follows:

##### D.1.12 Parametric Monitoring

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The Permittee shall record the total static pressure drop across the baghouse used in conjunction with the boiler 01, at least once weekly when the boiler 01 is in operation ~~when~~ and venting to the atmosphere. Unless operated under conditions for which the Compliance Response Plan specifies otherwise, the pressure drop across the baghouse shall be maintained within the range of ~~4.0 and 6.0~~ 2.0 and 8.0 inches of water or a range established during the latest stack test. The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when the pressure reading is outside of the above mentioned range for any one reading.

- (a) The instrument used for determining the pressure shall comply with Section C - Pressure Gauge Specifications, of this permit, shall be subject to approval by IDEM, OAM, and shall be calibrated ~~or replaced~~ at least once every six (6) months.
- (b) The coal delivery system which supplies fuel to the boiler 01 is electrically interlocked with a limestone delivery system. When coal is fed into the boiler (on a demand-feed basis), the limestone delivery system is automatically activated to feed a a preselected ratio. ~~A daily log of the lime/coal ratio shall be maintained.~~ The electrical interlock of this system is set so the delivery of coal cannot occur without delivery of limestone. The Permittee shall perform monthly trip checks of the switches monitoring the coal delivery/limestone delivery interlock. Unless operated under conditions for which the Preventive Maintenance Plan specifies otherwise, the Preventive Maintenance Plan for this unit shall contain troubleshooting contingency and corrective actions for when the interlock is not operating correctly.

#### Comment 45:

Griffin is concerned with Condition D.1.13 Broken Bag or Failure Detection. The response steps are more appropriately included in the Preventive Maintenance Plans. Accordingly, this Condition should be revised as noted.

##### D.1.13 Broken or Failed Bag Detection

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In the event that bag failure has been observed:

- (a) The affected compartments will be shut down immediately until the failed units have been repaired or replaced. Within eight (8) hours of the determination of failure, response steps according to the timetable described in the ~~Compliance Response Plan~~ PMP shall be initiated. For any failure with corresponding response steps and timetable not described in the ~~Compliance Response Plan~~ PMP, response steps shall be devised within eight (8) hours of discovery of the failure and shall include a timetable for completion. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).
- (b) For single compartment baghouses, failed units and the associated process will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).



**Response to Comment 45:**

IDEM disagrees. See the Response to Comment 28. There has been no change to this condition.

**Comment 46:**

Griffin is concerned with Condition D.1.14 Control Device Inspections. The additional compliance monitoring required by this Condition is unduly burdensome and unnecessary to ensure that Griffin is in compliance. In addition, unnecessary cyclone inspections could lead to increased emissions. Furthermore, to the extent such cyclone inspections are appropriate for these units, they should be included in the applicable Preventive Maintenance Plans.

~~D.1.14 Control Device Inspections~~

~~An inspection shall be performed each week of all the cyclones controlling the boilers 01 and 02 when venting to the atmosphere. Inspections are optional when venting to the indoors.~~

**Response to Comment 46:**

This condition is specifically required by 326 IAC 2-7-1(21)(G)(xxix), and the rule cite has been added as shown. However, this inspection is an external inspection, and the word external has been added to the condition.

~~D.1.14 Control Device Inspections [326 IAC 2-7-1(21)(G)(xxix)]~~

~~An **external** inspection shall be performed each week of all the cyclones controlling the boilers 01 and 02 when venting to the atmosphere. Inspections are not required when a cyclone is venting to the indoors.~~

**Comment 47:**

Generally, Condition D.1.15 Record Keeping Requirements should be consistent with the other terms of the permit. To that end, Griffin proposes to revise the language as noted to reflect the proposed changes above.

In addition, the record keeping requirements in this Condition need to be clarified, and duplication eliminated. Specifically, the record keeping requirement in subsection (a) is duplicative of the requirement in (c)(6), and should be deleted. The requirements in subsection (b) should be clarified to make clear that the records requested apply only to dryer 04. In addition, extraneous language in subsection (b), not specific to record keeping, should be deleted to avoid confusion in the implementation of the Permit. Also in subsection (b), the language should be revised to clarify that record keeping only applies to No. 2 distillate fuel oil. Subsection (b)(3) should be moved, as shown, to clarify that the required certification only applies if fuel supplier certification is used to demonstrate compliance. Subsection (b)(6) should be deleted, as it duplicates subsection (b)(3).

Finally, subsection (c) should be clarified as shown to avoid confusion in implementation of the Permit, and to ensure consistency with the underlying Construction Permit.

~~D.1.15 Record Keeping Requirements~~

- ~~(a) To document compliance with Condition D.1.1, the Permittee shall maintain a record of the limestone/coal ratio.~~
- ~~(b) To document compliance with Conditions D.1.2 and D.1.8, the Permittee shall maintain records **for dryer 04** in accordance with (1) through (65) below. **Note that pursuant to 326 IAC 7-1.1-1, the fuel oil sulfur limit applies at all times including periods of startup, shutdown, and malfunction.**~~
- ~~(1) Calendar dates covered in the compliance determination period;~~

- (2) Actual **No. 2 distillate** fuel oil usage since last compliance determination period ~~and equivalent sulfur dioxide emissions;~~
- ~~(3) A certification, signed by the owner or operator, that the records of the fuel supplier certifications represent all of the fuel combusted during the period; and~~

If the fuel supplier certification is used to demonstrate compliance the following ~~, as a minimum,~~ shall be maintained:

- ~~(43)~~ Fuel supplier certifications;
- (4) **A certification, signed by the owner or operator, that the records of the fuel supplier certifications represent all of the fuel combusted during the period; and**
- (5) The name of the fuel supplier. ~~; and~~
- ~~(6) A statement from the fuel supplier that certifies the sulfur content of the fuel oil.~~

The Permittee shall retain records of all recording/monitoring data and support information for a period of five (5) years, or longer if specified elsewhere in this permit, from the date of the monitoring sample, measurement, or report. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.

- (eb) To document compliance with Condition D.1.1, ~~D.1.9, and D.1.12,~~ **and D.1.2,** the Permittee shall maintain records **for boiler 01 and boiler 02** in accordance with (1) through (7) below. Records maintained for (1) through ~~(54)~~ **and (7)** shall be taken monthly and shall be complete and sufficient to establish compliance with the ~~PM and SO<sub>2</sub>~~ emission limits established in D.1.1 ~~and D.1.9.~~ **Records maintained for (6) shall be taken daily and shall be complete and sufficient to establish compliance with the emission limits established in D.1.1.**

- (1) Calendar dates covered in the compliance determination period; and
- (2) Actual coal usage since last compliance determination period; and
- (3) **Average S** ~~sulfur~~ content, **and** heat content, ~~and ash content of coal;~~ and
- (4) **Monthly average S** ~~sulfur~~ dioxide emission rates; and
- (5) Vendor analysis of coal and coal supplier certification, if the vendor analysis is used to determine compliance.
- (6) The limestone/coal feed ratio of the dry limestone injection system.
- (7) A log of the dry limestone injection/coal delivery interlock monthly trip checks.

- (ec) To document compliance with Condition D.1.11, the Permittee shall maintain records of ~~daily~~ **weekly** visible emission notations of the boilers stack exhaust.

- (ed) Pursuant to 40 CFR 60.40c, the Permittee shall record and maintain records of the amounts of fuel combusted during each day for a period of two years following the date of such record for ~~the~~ boiler 03.

- (fe) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

### Response to Comment 47:

IDEM agrees that (a) and (c)(6) are duplicative, and will delete (a). The requirements of subsection (b) apply only to dryer 04 and that shall be specified. The extraneous information will be deleted, but reporting of actual fuel usage and corresponding SO<sub>2</sub> emissions are being required. Subsection (b)(3) shall be moved, as shown, to clarify that the required certification only applies if fuel supplier certification is used to demonstrate compliance. The information required in subsection (b)(6) does not duplicate subsection (b)(3), and shall not be deleted. The condition shall be revised as follows:

#### D.1.15 Record Keeping Requirements

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- (a) ~~To document compliance with Condition D.1.1, the Permittee shall maintain a record of the limestone/coal ratio.~~
- (b) To document compliance with Conditions D.1.2 and D.1.8, the Permittee shall maintain records **for dryer 04** in accordance with (1) through (65) below. ~~Note that pursuant to 326 IAC 7-1.1-1, the fuel oil sulfur limit applies at all times including periods of startup, shutdown, and malfunction.~~
- (1) Calendar dates covered in the compliance determination period;
- (2) Actual **No. 2 distillate** fuel oil usage since last compliance determination period ~~and equivalent sulfur dioxide emissions;~~
- (3) ~~A certification, signed by the owner or operator, that the records of the fuel supplier certifications represent all of the fuel combusted during the period; and~~

If the fuel supplier certification is used to demonstrate compliance the following ~~, as a minimum,~~ shall be maintained:

- ~~(4A)~~ Fuel supplier certifications;
- (B) A certification, signed by the owner or operator, that the records of the fuel supplier certifications represent all of the fuel combusted during the period; and**
- (C) The name of the fuel supplier. ~~; and~~**
- ~~(6) A statement from the fuel supplier that certifies the sulfur content of the fuel oil.~~

The Permittee shall retain records of all recording/monitoring data and support information for a period of five (5) years, or longer if specified elsewhere in this permit, from the date of the monitoring sample, measurement, or report. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.

- (eb)** To document compliance with Condition D.1.1, ~~D.1.9, and D.1.12,~~ **and D.1.2,** the Permittee shall maintain records **for boiler 01 and boiler 02** in accordance with (1) through (7) below. Records maintained for (1) through ~~(54) and (7)~~ shall be taken monthly and shall be complete and sufficient to establish compliance with the ~~PM and SO<sub>2</sub>~~ emission limits established in D.1.1 ~~and D.1.9.~~ **Records maintained for (6) shall be taken daily and shall be complete and sufficient to establish compliance with the emission limits established in D.1.1.**
- (1) Calendar dates covered in the compliance determination period; and
- (2) Actual coal usage since last compliance determination period; and
- (3) **Average S** sulfur content, **and** heat content, ~~and ash content of coal;~~ and

- (4) ~~Monthly average~~ Sulfur dioxide emission rates; and
- (5) Vendor analysis of coal and coal supplier certification, if the vendor analysis is used to determine compliance.
- (6) The limestone/coal feed ratio of the dry limestone injection system.
- (7) A log of the dry limestone injection/coal delivery interlock monthly trip checks.
- (~~dc~~) To document compliance with Condition D.1.11, the Permittee shall maintain records of daily visible emission notations of the boilers stack exhaust.
- (~~ed~~) Pursuant to 40 CFR 60.40c, the Permittee shall record and maintain records of the amounts of fuel combusted during each day for a period of two years following the date of such record for ~~the~~ boiler 03.
- (~~fe~~) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

**Comment 48:**

Condition D.1.16 Reporting Requirements is unduly burdensome and unnecessary. Semi-annual summaries should be adequate to provide IDEM with reasonable assurances of compliance. Therefore, Griffin recommends that this Condition be revised as shown.

**D.1.16 Reporting Requirements**

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- (a) A ~~quarterly~~ **semi-annual** summary of the information to document compliance with Condition D.1.2 shall be submitted to the address listed in Section C - General Reporting Requirements, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported.
- (b) An annual certification shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the Natural Gas Fired Boiler Certification form located at the end of this permit, or its equivalent, no later than July 1 of each year for the boilers 01 and 03 and dryer 04.

**Response to Comment 48:**

IDEM disagrees. Reports must be submitted at least every six months under 326 IAC 2-7-5(3)(C)(i). OAM feels that a period of time longer than every quarter will usually not provide sufficient reporting of continuous compliance. There has been no change to this condition.

**Comment 49:**

Like Conditions A.1 through A.3, the information contained in the facility description boxes of D.1 through D.3 provide descriptive information concerning the emission units, and do not constitute enforceable conditions. That should be reflected in the facility description language, as shown. IDEM's most recent model language reflects this approach.

**Response to Comment 49:**

Facility descriptions are not federally enforceable, and a Facility Description box is not a permit condition and thus is also not federally enforceable. In order to avoid confusion on this issue, additional language has been added to each Section D Facility Description box to further clarify that facility descriptions are not federally enforceable: **(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)**

**Comment 50:**

Griffin is concerned with Condition D.2.1 Particulate Matter. The allowable PM emission rate is to be calculated using the equation  $E = 4.1(P)^{0.67}$ , where E equals the allowable PM emission rate in pounds per hour and P equals the process weight rate in tons per hour. The Condition, as written, appears to have set maximum values for the variable P and the allowable PM emission rate. Therefore, Griffin recommends the noted revisions.

**D.2.1 Particulate Matter (PM) [326 IAC 6-3]**

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Pursuant to 326 IAC 6-3 (Process Operations), the PM from the material storage and handling facilities shall not exceed ~~33.13 pounds per hour when operating at a process weight rate of 45,230 pounds per hour.~~ **T** the pound per hour emission rate was established as E in the following formula:

Interpolation of the data for the process weight rate **from one hundred (100) pounds per hour** up to 60,000 pounds per hour shall be accomplished by use of the equation:

$$E = 4.10 P^{0.67}$$

where E = rate of emission in pounds per hour; and  
P = process weight rate in tons per hour

**Response to Comment 50:**

The specified emission limit is based the rule cited and on the maximum process weight rate submitted in the application, and, therefore, will remain as part of the condition, the condition shall be revised as follows:

**D.2.1 Particulate Matter (PM) [326 IAC 6-3-2(c)]**

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Pursuant to 326 IAC 6-3-2(c), the PM from the material storage and handling shall not exceed 33.13 pounds per hour when operating at a process weight rate of 45,230 pounds per hour.

Interpolation of the data for the process weight rate **from one hundred (100) pounds per hour** up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 4.10 P^{0.67}$$

where E = rate of emission in pounds per hour; and  
P = process weight rate in tons per hour

**Comment 51:**

Griffin is concerned with Condition D.2.2 Testing Requirements. The terms of this Condition go beyond IDEM's authority. Accordingly, Griffin recommends the noted revisions.

**D.2.2 Testing Requirements [326 IAC 2-7-6(1),(6)]**

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The Permittee is not required to test this facility by this permit. ~~However, IDEM may require compliance testing at any specific time when necessary to determine if the facility is in compliance. If testing is required by IDEM, compliance with the PM limit specified in Condition D.2.1 shall be determined by performance tests conducted in accordance with Section C- Performance Testing.~~

**Response to Comment 51:**

See Response to Comment 39. There has been no change to this condition.

**Comment 52:**

Griffin is concerned with Condition D.2.3 Monitoring. The terms of this Condition go beyond IDEM's authority. Accordingly, Griffin recommends the noted revision.

**D.2.3 Monitoring**

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Monitoring of these facilities is not specifically required by this permit. ~~However, any change or modification to these facilities, as specified in 326 IAC 2-1, may require these facilities to have monitoring requirements.~~

**Response to Comment 52:**

IDEM agrees to revise the condition as shown.

**Comment 53:**

Like Conditions A.1 through A.3, the information contained in the facility description boxes of D.1 through D.3 provide descriptive information concerning the emission units, and do not constitute enforceable conditions. That should be reflected in the facility description language. IDEM's most recent model language reflects this approach.

**Response to Comment 53:**

Facility descriptions are not federally enforceable, and a Facility Description box is not a permit condition and thus is also not federally enforceable. In order to avoid confusion on this issue, additional language has been added to each Section D Facility Description box to further clarify that facility descriptions are not federally enforceable: ~~(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)~~

**Comment 54:**

Griffin is concerned with Condition D.3.2 Testing Requirements. The terms of this Condition go beyond IDEM's authority. Accordingly, Griffin recommends the noted revision.

**D.3.2 Testing Requirements [326 IAC 2-7-6(1),(6)]**

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The Permittee is not required to test this facility by this permit. ~~However, IDEM may require compliance testing at any specific time when necessary to determine if the facility is in compliance. If testing is required by IDEM, compliance shall be determined by performance tests conducted in accordance with Section C - Performance Testing.~~

**Response to Comment 54:**

See Response to Comment 39. There has been no change to this condition.

**Comment 55:**

Griffin is concerned with Condition D.3.3 Monitoring. The terms of this Condition go beyond IDEM's authority. Accordingly, Griffin recommends the noted revision.

### D.3.3 Monitoring

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Monitoring of these facilities is not specifically required by this permit. ~~However, any change or modification to these facilities, as specified in 326 IAC 2-1, may require these facilities to have monitoring requirements.~~

#### Response to Comment 55:

IDEM agrees to revise the condition as shown.

#### IDEM Comment 1:

As part of the U.S. EPA's 1997 Compliance Assurance Monitoring rule making (Federal Register Volume 62, page 54900-54947, Wednesday, October 22, 1997), the language in 40 CFR Part 70.6(c)(5)(iii)(B)) was changed from "continuous or intermittent compliance" to "based on continuous or intermittent data". The U.S. District Court of Appeals, Washington D.C. ruled against EPA's language, saying that the Clean Air Act wording of continuous or intermittent compliance had to be used. (NRDC vs. EPA, #97-1727) This change has been made to this permit to be consistent with state and federal law.

### B.11 Annual Compliance Certification [326 IAC 2-7-6(5)]

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- (c) The annual compliance certification report shall include the following:
- (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
  - (2) The compliance status;
  - (3) Whether compliance was ~~based on~~ continuous or intermittent data;
  - (4) The methods used for determining compliance of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and
  - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAM, may require to determine the compliance status of the source.

The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

## **Indiana Department of Environmental Management Office of Air Management**

### **Technical Support Document (TSD) for a Part 70 Operating Permit**

#### **Source Background and Description**

**Source Name:** Griffin Industries  
**Source Location:** Route 1, Box 112, Newberry, IN 47449  
**County:** Greene  
**SIC Code:** 2077  
**Operation Permit No.:** T055-6063-00008  
**Permit Reviewer:** Holly M. Stockrahm

The Office of Air Management (OAM) has reviewed a Part 70 permit application from Griffin Industries relating to an animal and agricultural byproducts rendering operation.

#### **Permitted Emission Units and Pollution Control Equipment**

The source consists of the following permitted emission units and pollution control devices:

- (1) One (1) fluidized, coal-fired boiler, identified as 01, constructed in 1981, with a heat input capacity of 50 million Btu per hour, using natural gas as a backup fuel, dry limestone injection for sulfur dioxide (SO<sub>2</sub>) control, a cyclone centrifugal separator and baghouse for particulate matter control, and exhausting to stack A;
- (2) One (1) traveling grate, coal-fired boiler, identified as 02, constructed in 1989, with a heat input capacity of 50 million Btu per hour, using a cyclone centrifugal separator for particulate matter control, and exhausting to stack B; and
- (3) One (1) natural gas-fired dryer, identified as 04, constructed in 1994, with a heat input capacity of 20 million Btu per hour, using No. 2 fuel oil as a backup fuel, a cyclone centrifugal separator and a wet scrubber for particulate matter control, and exhausting to stack D.

#### **Unpermitted Emission Units and Pollution Control Equipment Requiring ENSR**

The source also consists of the following unpermitted facilities/units:

- (1) One (1) natural gas-fired boiler, identified as 03, constructed in 1989, with a heat input capacity of 33.746 million Btu per hour, and exhausting to stack C; and
- (2) Material storage and handling facilities including:
  - (a) one (1) 420 ton capacity enclosed silo, used for storing tallow/grease, with enclosed piping for material handling,
  - (b) three (3) 250 ton capacity enclosed silos, used for storing meat meal, feather meal, and poultry meal, with three (3) screw conveyors for material handling, and
  - (c) one (1) 30 ton capacity enclosed silo, used for storing blood meal, with one (1) screw conveyor for material handling.

#### **New Emission Units and Pollution Control Equipment Requiring ENSR**

There are no new facilities to be reviewed under the ENSR process.



### Insignificant Activities

The source also consists of the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (1) Natural gas-fired combustion sources with heat input equal to or less than ten (10) million Btu per hour;
- (2) A petroleum fuel, other than gasoline, dispensing facility, having a storage capacity of less than or equal to 10,500 gallons, and dispensing less than or equal to 230,000 gallons per month;
- (3) Vessels storing lubricating oils, hydraulic oils, machining oils, and machining fluids;
- (4) Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6:
  - (a) Three (3) cold cleaners, each with 22 gallon reservoirs
- (5) Activities associated with the treatment of wastewater streams with an oil and grease content less than or equal to 1% by volume;
- (6) Forced and induced draft cooling tower system not regulated under a NESHAP;
- (7) Replacement or repair of electrostatic precipitators, bags in baghouses and filters in other air filtration equipment;
- (8) Heat exchanger cleaning and repair;
- (9) A laboratory as defined in 326 IAC 2-7-1 (21)(D); and
- (10) Other categories with emissions below insignificant thresholds:
  - (a) one (1) material drop box used for transfer of processed blood meal, emitting less than 25 pounds per day of PM-10,
  - (b) one (1) silo used for temporary storage of processed blood meal, emitting less than 25 pounds per day of PM-10, and
  - (c) storage and handling facilities of coal and limestone, emitting less than 25 pounds per day of PM-10.

### Existing Approvals

The source has been operating under previous approvals including, but not limited to, the following:

- (1) OP 28-12-90-0050, issued on June 7, 1990;
- (2) OP 28-12-90-0051, issued on August 14, 1990;
- (3) CP 055-3226-00008, issued on November 24, 1993; and
- (2) CP 055-4174-00008, issued on April 3, 1995.

All conditions from previous approvals were incorporated into this Part 70 permit except the following:

- (1) OP 28-12-90-0051, issued on August 14, 1990

Operation Condition No. 8: That if and when the New Source Performance Standard (NSPS, 40 CFR 60.40c through 49c) Subpart Dc is promulgated, air pollution emissions from the 50 MMBtu/hr traveling grate coal-fired boiler shall comply with this rule since it will apply to all such sources commencing construction after June 9, 1989.

Reason not incorporated: This condition was included in the operation permit for boiler 02 with the belief that boiler 02 was constructed after the applicability date (June 9, 1989) of the New Source Performance Standard (NSPS, 40 CFR 60.40c through 49c) Subpart Dc. After issuance, the source contended that boiler 02 was constructed prior to June 9, 1989 and therefore was not subject to NSPS, Subpart Dc. A letter from U.S. EPA Region V, dated March 14, 1995, confirmed that boiler 02 was constructed prior to June 9, 1989 and not subject to NSPS, Subpart Dc.

- (2) CP 055-3226-00008, issued on November 24, 1993.

Reason not incorporated: This registration letter for the installation of a baghouse will not be incorporated into this Part 70 permit because the baghouse was never installed.

### Enforcement Issue

- (a) IDEM is aware that equipment has been constructed and operated prior to receipt of the proper permit. The subject equipment is listed in this Technical Support Document under the condition entitled *Unpermitted Emission Units and Pollution Control Equipment Requiring ENSR*.
- (b) IDEM is reviewing this matter and will take appropriate action. This proposed permit is intended to satisfy the requirements of the construction permit rules.

There are no enforcement actions pending.

### Recommendation

The staff recommends to the Commissioner that the Part 70 permit be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant.

An administratively complete Part 70 permit application for the purposes of this review was received on June 4, 1996.

A notice of completeness letter was mailed to the source on May 19, 1997.

### Emission Calculations

The calculations for the unpermitted boiler 03 are provided in Appendix A of this document (page one). The calculation for the No. 2 distillate fuel oil limitation on dryer 04 is as follows:

$$\frac{39 \text{ tons}}{\text{year}} \div \left( \frac{1 \text{ ton}}{2000 \text{ lbs}} \times \frac{144(0.5) \text{ lb SO}_2}{1000 \text{ gal}} \times \frac{12 \text{ months}}{\text{year}} \right) = 90,277 \text{ gallons No.2 fuel oil per month}$$

## Potential Emissions

Pursuant to 326 IAC 1-2-55, Potential Emissions are defined as “emissions of any one (1) pollutant which would be emitted from a facility, if that facility were operated without the use of pollution control equipment unless such control equipment is necessary for the facility to produce its normal product or is integral to the normal operation of the facility.”

Pollutant	Potential Emissions (tons/year)
PM	greater than 250
PM-10	greater than 100
SO <sub>2</sub>	greater than 250
VOC	less than 100
CO	greater than 100
NO <sub>x</sub>	greater than 100

Note: For the purpose of determining Title V applicability for particulates, PM-10, not PM, is the regulated pollutant in consideration.

HAP's	Potential Emissions (tons/year)
single HAP	less than 10
combination of HAPs	less than 25

- (a) The potential emissions (as defined in 326 IAC 1-2-55) of PM-10, SO<sub>2</sub>, NO<sub>x</sub>, and CO are equal to or greater than 100 tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7.
- (b) Fugitive Emissions  
Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2 and since there are no applicable New Source Performance Standards that were in effect on August 7, 1980, the fugitive particulate matter (PM) and volatile organic compound (VOC) emissions are not counted toward determination of PSD and Emission Offset applicability.

## Actual Emissions

The following table shows the actual emissions from the source. This information reflects the 1996 OAM emission data.

Pollutant	Actual Emissions (tons/year)
PM	0.03
PM-10	0.06
SO <sub>2</sub>	8.17
VOC	0.34
CO	3.50
NO <sub>x</sub>	75.91
HAP	0

### County Attainment Status

The source is located in Greene County.

Pollutant	Status
PM-10	attainment
SO <sub>2</sub>	attainment
NO <sub>2</sub>	attainment
Ozone	attainment
CO	attainment
Lead	attainment

Volatile organic compounds (VOC) and oxides of nitrogen (NO<sub>x</sub>) are precursors for the formation of ozone. Therefore, VOC and NO<sub>x</sub> emissions are considered when evaluating the rule applicability relating to the ozone standards. Greene County has been designated as attainment or unclassifiable for ozone.

### Federal Rule Applicability

- (a) The 33.746 MMBtu/hr natural gas boiler, identified as 03, is subject to the New Source Performance Standard, 326 IAC 12, (40 CFR 60.40c through 48c, Subpart Dc) because it was constructed after June 9, 1989 with a design heat input capacity between 10 MMBtu per hour and 100 MMBtu per hour. Pursuant to this subpart, the Permittee shall record and maintain records of the amounts of fuel combusted during each day for a period of two years following the date of such record.
- (b) Boilers 01 and 02 are not subject to the New Source Performance Standard, 326 IAC 12 (40 CFR 60.40c through 48c, Subpart Dc) because they were constructed prior to the applicability date of the rule (June 9, 1989).
- (c) Boilers 01 and 02 are not subject to the New Source Performance Standard, 326 IAC 12 (40 CFR 60.40b through 49b, Subpart Db) because their heat input capacities are less than one hundred (100) million British thermal units per hour (mmBtu/hr).
- (d) There are no National Emission Standards for Hazardous Air Pollutants (NESHAPs) applicable to this source.

### State Rule Applicability - Entire Source

#### 326 IAC 1-6-3 (Preventive Maintenance Plan)

The source has submitted a Preventive Maintenance Plan (PMP) on June 4, 1996. This PMP has been verified to fulfill the requirements of 326 IAC 1-6-3 (Preventive Maintenance Plan).

#### 326 IAC 2-6 (Emission Reporting)

This source is subject to 326 IAC 2-6 (Emission Reporting), because it has the potential to emit more than one hundred (100) tons per year of CO, NO<sub>x</sub>, PM<sub>10</sub>, and SO<sub>2</sub>. Pursuant to this rule, the owner/operator of the source must annually submit an emission statement for the source. The annual statement must be received by July 1 of each year and contain the minimum requirement as specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8)(Emission Statement Operating Year).

326 IAC 5-1 (Opacity Limitations)

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Exemptions), opacity shall meet the following, unless otherwise stated in this permit:

- (a) Opacity shall not exceed an average of forty percent (40%) in any one (1) six minute averaging period, as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

**State Rule Applicability - Individual Facilities**

326 IAC 2-2 (Prevention of Significant Deterioration)

This source is a major PSD source. The boilers are not subject to the PSD requirements due to one of the following:

- (1) the facilities have potential emissions less than the PSD major modification levels;
- (2) the facilities have operation limitations to keep them under PSD major modification levels;
- or
- (3) the facilities have control technology to keep them under PSD major modification levels.

Boiler 02 has a 20.5 ton SO<sub>2</sub> per month emission limitation at 2.4 pounds of SO<sub>2</sub> per million Btu of heat input to fall under the 250 ton per year PSD major modification level.

Dryer 04 has a 1,083,333 gallon No.2 distillate fuel oil per 12 month period limitation, rolled on a monthly basis, to fall under the 40 ton per year PSD major modification level for SO<sub>2</sub>.

326 IAC 6-2-3 (Particulate Emission Limitations for Sources of Indirect Heating)

Pursuant to 326 IAC 6-2-3 (Particulate Matter Emission Limitations for Sources of Indirect Heating), the PM emissions from the 50 MMBtu/hr boiler 01 shall be limited to 0.80 pounds per million British thermal unit. This limit was used because the calculated limitation was greater than 0.80 as established by the following equation:

$$Pt = \frac{C \times a \times h}{76.5 \times Q^{0.75} \times N^{0.25}}$$

where Pt = pounds of particulate matter emitted per million Btu (lb/mmBtu) heat input;  
C = maximum ground level concentration with respect to distance from the point source at the "critical" wind speed for level terrain. This shall equal 50 micrograms per cubic meter (µg/m<sup>3</sup>) for a period not to exceed a sixty (60) minute time period;  
Q = total source maximum operating capacity rating in million Btu per hour (mmBtu/hr) heat input;  
N = number of stacks in fuel burning operation;  
a = plume rise factor which is used to make allowance for less than theoretical plume rise. The value 0.67 shall be used for Q less than or equal to 1,000 mmBtu/hr heat input. The value 0.8 shall be used for Q greater than 1,000 mmBtu/hr heat input; and  
h = stack height in feet. If a number of stacks of different heights exist, the average stack height to represent "N" stacks shall be calculated by weighing each stack height with its particulate matter emission rate as follows.

For Boiler 01:

$$C = 50$$

$$Q = 50$$

$$a = 0.67$$

$$N = 1$$

$$h = 42.5$$

$$Pt = 0.989 > 0.8 \text{ Therefore, Boiler 01 is limited to } 0.8 \text{ lb/mmBtu.}$$

Proof of Compliance:

When using coal:

$$101.07 \text{ tons PM / year} * \text{year} / 8760 \text{ hrs} * \text{hr} / 50 \text{ mmBtu} * 2000 \text{ lb / ton} = \\ 0.4615 \text{ lb / mmBtu (before control)} * (1 - 0.999) = \mathbf{0.0004 \text{ lb / mmBtu (after control)}}$$

When using natural gas:

$$1.7 \text{ tons PM / year} * \text{year} / 8760 \text{ hrs} * \text{hr} / 50 \text{ mmBtu} * 2000 \text{ lb / ton} = \\ 0.0077 \text{ lb / mmBtu (before control)} * (1 - 0.999) = \mathbf{0.000007 \text{ lb / mmBtu (after control)}}$$

326 IAC 6-2-4 (Particulate Emission Limitations for Sources of Indirect Heating)

Pursuant to 326 IAC 6-2-4 (Particulate Matter Emission Limitations for Sources of Indirect Heating), the PM emissions from the 50 MMBtu/hr boiler 02 and the 33.746 MMBtu/hr boiler 03 shall be limited to 0.305 lb/mmBtu each. These limits were established by the following equation:

$$Pt = \frac{1.09}{Q^{0.26}}$$

where Pt = pounds of particulate matter emitted per million Btu (lb/MMBtu) heat input;  
and

Q = total source maximum operating capacity rating in million Btu per hour  
(MMBtu/hr) heat input.

(a) For Boiler 02 and Boiler 03:

$$Q = 50 + 50 + 33.746 = 133.746 \text{ mmBtu/hr}$$

$$Pt = 0.305 \text{ lb/mmBtu}$$

Proof of Compliance:

Boiler 02 using coal:

$$101.07 \text{ tons PM / year} * \text{year} / 8760 \text{ hrs} * \text{hr} / 50 \text{ mmBtu} * 2000 \text{ lb / ton} = \\ 0.4615 \text{ lb / mmBtu (before control)} * (1 - 0.75) = \mathbf{0.1153 \text{ lb / mmBtu (after control)}}$$

Boiler 03 using natural gas:

$$1.1 \text{ tons PM / year} * \text{year} / 8760 \text{ hrs} * \text{hr} / 33.746 \text{ mmBtu} * 2000 \text{ lb / ton} = \\ \mathbf{0.0074 \text{ lb / mmBtu}}$$

326 IAC 6-3-2 (Process Operations)

(a) Pursuant to CP 055-4174-00008, issued on April 3, 1995, the PM from dryer 04 shall not exceed 37.9 pounds per hour when operating at a process weight rate of 55,284 pounds per hour. The cyclone centrifugal separator and a wet scrubber shall be in operation at all times that dryer 04 is in operation, in order to comply with this limit.

(b) The PM from the material storage and handling facilities shall not exceed 33.13 pounds per hour when operating at a process weight rate of 45,230 pounds per hour.

The pound per hour emission rate was established as E in the following formula:

Interpolation of the data for the process weight rate up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 4.10 P^{0.67}$$

where E = rate of emission in pounds per hour; and  
P = process weight rate in tons per hour

**326 IAC 7-1.1-2 (Sulfur Dioxide Emission Limitations)**

Pursuant to OP 28-12-90-0050, issued on June 7, 1990, the sulfur dioxide (SO<sub>2</sub>) emissions from boiler 01 shall be limited to 6 pounds per million Btu of heat input. The dry limestone injection control device shall be in operation at all times that boiler 01 is in operation, in order to comply with this limit.

Pursuant to OP 28-12-90-0051, issued on August 14, 1990, the sulfur dioxide (SO<sub>2</sub>) emissions from boiler 02 shall be limited to 6 pounds per million Btu of heat input. In order to limit SO<sub>2</sub> emissions to less than the PSD major source modification level of 250 tons per year, SO<sub>2</sub> emissions shall be limited to 2.4 pounds per million Btu of heat input.

Pursuant to CP 055-4174-00008, issued on April 3, 1995, the sulfur dioxide (SO<sub>2</sub>) emissions from the combustion of No. 2 distillate fuel oil in dryer 04 shall be limited to 0.5 pounds per million Btu of heat input.

**326 IAC 8-3-2 (Cold Cleaner Operations)**

Pursuant to 326 IAC 8-3-2 (Cold Cleaner Operations), the owner or operator of the cold cleaning facilities shall:

- (a) Equip the cleaner with a cover;
- (b) Equip the cleaner with a facility for draining cleaned parts;
- (c) Close the degreaser cover whenever parts are not being handled in the cleaner;
- (d) Drain cleaned parts for at least fifteen (15) seconds or until dripping ceases;
- (e) Provide a permanent, conspicuous label summarizing the operation requirements;
- (f) Store waste solvent only in covered containers and not dispose of waste solvent or transfer it to another party, in such a manner that greater than twenty percent (20%) of the waste solvent (by weight) can evaporate into the atmosphere.

**Compliance Requirements**

Permits issued under 326 IAC 2-7 are required to ensure that sources can demonstrate compliance with applicable state and federal rules on a more or less continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill the requirement for a more or less continuous demonstration. When this occurs IDEM, OAM, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-7-5. As a result, compliance requirements are divided into two sections: Compliance Determination Requirements and Compliance Monitoring Requirements.

Compliance Determination Requirements in Section D of the permit are those conditions that are found more or less directly within state and federal rules and the violation of which serves as grounds for enforcement action. If these conditions are not sufficient to demonstrate continuous compliance, they will be supplemented with Compliance Monitoring Requirements, also Section D of the permit. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source's failure to take the appropriate corrective actions within a specific time period.

The compliance monitoring requirements applicable to this source are as follows:

1. The three (3) boilers and one (1) dryer have applicable compliance monitoring conditions as specified below:
  - (a) Daily visible emission notations of the boilers and dryer stack exhaust shall be performed during normal daylight operations when burning coal or No. 2 fuel oil and when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.
  - (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
  - (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
  - (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
  - (e) The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is observed.
  - (f) The Permittee shall record the total static pressure drop across the baghouse used in conjunction with the boiler 01, at least once weekly when the boiler 01 is in operation when venting to the atmosphere. Unless operated under conditions for which the Compliance Response Plan specifies otherwise, the pressure drop across the baghouse shall be maintained within the range of 4.0 and 6.0 inches of water or a range established during the latest stack test. The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when the pressure reading is outside of the above mentioned range for any one reading.
  - (g) An inspection shall be performed each week of all the cyclones dry injection system controlling the boilers 01 and 02 when venting to the atmosphere. Inspections are optional when venting to the indoors.
  - (h) The coal delivery system which supplies fuel to the boiler is electrically interlocked with a limestone delivery system. When coal is fed into the boiler (on a demand-feed basis), the limestone delivery system is automatically activated to feed a preselected ratio. The minimum limestone needed for SO<sub>2</sub> reduction is approximately 7%. A log of the lime/coal ratio shall be maintained. The electrical interlock of this system is set so the delivery of coal cannot occur without delivery of limestone. The Permittee shall perform monthly trip checks of the switches monitoring the coal delivery/limestone delivery interlock. Unless operated under conditions for which the Preventive Maintenance Plan specifies otherwise, the Preventive Maintenance Plan for this unit shall contain troubleshooting contingency and corrective actions for when the interlock is not operating correctly.



- (h) In the event that bag failure has been observed:
  - (1) The affected compartments will be shut down immediately until the failed units have been repaired or replaced. Within eight (8) hours of the determination of failure, response steps according to the timetable described in the Compliance Response Plan shall be initiated. For any failure with corresponding response steps and timetable not described in the Compliance Response Plan, response steps shall be devised within eight (8) hours of discovery of the failure and shall include a timetable for completion. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).
  - (2) For single compartment baghouses, failed units and the associated process will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

These monitoring conditions are necessary because boilers and dryer must operate properly to ensure compliance with 326 IAC 6-3 (Process Operations), 326 IAC 6-2 (Particulate Matter Emission Limitations for Sources of Indirect Heating), and 326 IAC 2-7 (Part 70).

#### **Air Toxic Emissions**

Indiana presently requests applicants to provide information on emissions of the 187 hazardous air pollutants (HAPs) set out in the Clean Air Act Amendments of 1990. These pollutants are either carcinogenic or otherwise considered toxic and are commonly used by industries. They are listed as air toxics on the Office of Air Management (OAM) Part 70 Application Form GSD-08. None of the listed air toxics will be emitted from this source.

#### **Conclusion**

The operation of this animal and agricultural byproducts rendering operation shall be subject to the conditions of the attached proposed **Part 70 Permit No. T055-6063-00008**.